United Nations S/2012/241

Security Council

Distr.: General
25 April 2012

Original: English

Letter dated 19 April 2012 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council

Upon instructions from my Government and with reference to the letter from the Permanent Representative of Saudi Arabia to the United Nations dated 13 April 2012 (S/2012/224) and the letter from the Permanent Representative of the United Arab Emirates to the United Nations dated 17 April 2012 (S/2012/234) addressed to the Secretary-General regarding the recent visit of Mr. Mahmoud Ahmadinejad, President of the Islamic Republic of Iran, to Abu Musa Island and issues related to the three Iranian islands in the Persian Gulf raised in those letters, I have the honour to state the following:

The Iranian islands of Abu Musa, the Greater Tunb and the Lesser Tunb are integral and eternal parts of the Iranian territory. The Government of the Islamic Republic of Iran categorically rejects any claim to the contrary, including the baseless claims raised in the said letters. Moreover, the recent visit by the President of the Islamic Republic of Iran to Abu Musa Island and all other measures taken by the Iranian authorities in those Iranian islands are fully based on the sovereign rights of Iran and the principle of its territorial integrity.

While stressing the importance of the brotherly and good-neighbourly relations that exist between the Islamic Republic of Iran and the neighbouring countries in the Persian Gulf, the Islamic Republic of Iran continues to believe that constructive negotiations between the Government of the Islamic Republic of Iran and the relevant officials of the United Arab Emirates will lead to the further expansion of relations in various fields and will help to remove any misunderstanding that may arise with regard to implementation of the arrangements emanating from the documents exchanged in 1971 on this issue.

Moreover, the Islamic Republic of Iran wishes to stress that the only historically correct and universally recognized name for the body of water between Iran and the Arabian Peninsula, as so emphasized by the United Nations itself, is the Persian Gulf. Accordingly, any use of fabricated names for this body of water, including the fabricated name used in the aforementioned letter of the Permanent

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Representative of Saudi Arabia to the United Nations, is totally groundless and absolutely unacceptable, bearing no legal or political value.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Eshagh **Al Habib**
Ambassador
Chargé d'affaires a.i.

United Nations A/66/775–S/2012/242

General Assembly
Security Council

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19 April 2012

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General Assembly
Sixty-sixth session
Agenda item 17 (a)
Macroeconomic policy questions: international trade and development

Security Council
Sixty-seventh year

Letter dated 17 April 2012 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the position of the Republic of Belarus regarding the unilateral sanctions of the European Union on Belarus (see annex).

I would be grateful if you could have the present letter and its annex circulated as a document of the General Assembly, under agenda item 17 (a), and of the Security Council.

(*Signed*) Andrei **Dapkiunas**

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Annex to the letter dated 17 April 2012 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

Position of the Ministry of Foreign Affairs of the Republic of Belarus on the imposition by the European Union of sanctions against the Republic of Belarus

[Original: Russian]

Minsk, 30 March 2012

Since January 2011, the European Union and a number of countries that have associated themselves with its policy have been systematically expanding unilateral sanctions against the Republic of Belarus, barring a growing number of its citizens from entering their territory and freezing any financial operations involving more and more private companies based in Belarus. Sanctions have now been imposed against 243 individuals and 32 enterprises.

The European Union cites as grounds for its actions its own understanding of how the 2010 presidential elections in Belarus were conducted and of actions taken by the Belarusian authorities vis-à-vis certain representatives of civil society, as well as of the role that the individuals and enterprises in question allegedly played in these events.

The trumped-up nature of these claims is obvious given that the European Union blacklist includes, among others, a considerable number of journalists, judges, prosecutors, electoral commissioners, college and university provosts and school principals, businesspeople and even a hospital medical director.

Moreover, in January 2012, the Council of the European Union determined that restrictions could be placed upon all "persons or entities benefiting from or supporting the Lukashenka regime". In other words, any citizens of Belarus who labour for the national good or receive material compensation or social assistance from the State may find themselves hostage to European Union policy and targeted by its sanctions.

In practice, the purpose of the sanctions is thus to coerce Belarusian citizens and companies either to take up a position or to take steps in which the European Union has a vested interest, rather than those that derive directly from national law, professional ethics or the interests of said individuals or companies.

The European Union's actions are therefore unilateral and coercive in nature, infringing upon the legal rights and liberties of a large number of natural and legal persons, and are designed to interfere generally in the internal affairs of a sovereign State.

The European Union's decisions on Belarus contravene the Charter of the United Nations, principles and norms of international law, the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, adopted by the General Assembly on 24 October 1970, and numerous relevant and regularly adopted resolutions of the Assembly and other United Nations bodies.

In particular, in a recent resolution on this topic, resolution 66/186 on unilateral economic measures as a means of political and economic coercion against developing countries, the General Assembly urged the international community to adopt urgent and effective measures to eliminate the use of unilateral coercive economic measures and to condemn and reject the imposition of the use of such measures as a means of political and economic coercion. A Human Rights Council resolution on human rights and unilateral coercive measures adopted at that body's nineteenth session in March 2012 sets out similar provisions.

Moreover, economic sanctions targeting legal persons in the Republic of Belarus directly affect the income of those companies' employees and their families. The European Union is essentially punishing the people of Belarus for exercising their right to freely choose their national political, economic and social model.

Restrictive measures of this kind also run counter to the Final Act of the Conference on Security and Cooperation in Europe (CSCE). Under Principle VI of the Final Act, participating States "will refrain from any intervention, direct or indirect, individual or collective, in the internal or external affairs falling within the domestic jurisdiction of another participating State, regardless of their mutual relations. ... They will likewise in all circumstances refrain from any other act of military, or of political, economic or other coercion designed to subordinate to their own interest the exercise by another participating State of the rights inherent in its sovereignty and thus to secure advantages of any kind."

Under Principle VIII, by virtue of the principle of equal rights and self-determination of peoples, all peoples always have the right, in full freedom, to determine, when and as they wish, their internal and external political status, without external interference, and to pursue as they wish their political, economic, social and cultural development.

Acts of intimidation, economic pressure and coercion are utterly unacceptable in international affairs and serve only to escalate tensions between sovereign States and in the international arena generally.

The Ministry of Foreign Affairs of the Republic of Belarus calls upon the European Union to lift without condition all sanctions and restrictive measures targeting Belarus.

United Nations S/2012/243

Security Council

Distr.: General
23 April 2012
English
Original: Arabic

Identical letters dated 19 April 2012 from the Permanent Representative of the Syrian Arab Republic addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I should like to point out the following.

The Syrian Arab Republic has been keen to express support for the six-point proposal regarding Syria of the United Nations Special Envoy, Mr. Kofi Annan. It has repeatedly made clear its readiness to cooperate with Mr. Annan in order to ensure the success of his mission and reach a Syrian-led political solution to the current crisis in the country. The Syrian Arab Republic has also called on all States connected with the armed opposition parties in Syria to stop funding and abetting the armed groups; to avoid any actions that could fan the flames of the crisis; and to pursue a political solution thereto with a view to ensuring the success of Mr. Annan's mission.

On 14 April 2012, the Security Council adopted resolution 2042 (2012), which noted the Syrian Government's commitment to implement the six-point proposal of the United Nations Special Envoy, Mr. Annan; called for the urgent, comprehensive and immediate implementation of all elements of the proposal; called upon all parties in Syria, including the opposition, immediately to cease all armed violence in all its forms; and expressed its intention to establish immediately, after consultations between the Secretary-General and the Syrian Government, a United Nations supervision mission in Syria to monitor a cessation of armed violence in all its forms by all parties.

Security Council resolution 2042 (2012) presupposes that all States will comply with its provisions. It is therefore surprising that only two days after the resolution was adopted, the Amir of Qatar, Hamad bin Khalifa Al-Thani, made statements explicitly contradicting its spirit and letter. In so doing, he made it patently obvious that the State of Qatar plans to oppose any peaceful solution to the crisis in Syria. Speaking in Rome, the Amir of Qatar pre-judged the outcome of the supervision mission, the first group of whose members had arrived in Syria only one day earlier. He stated that Mr. Annan's proposal had no more than a 3 per cent chance of success, and that the Syrian people needed not peaceful support, but weapons. The adoption of resolution 2042 (2012) has not affected Qatari officials' persistence in making negative statements about Mr. Annan's proposal. They made such inflammatory and subversive declarations before the resolution's adoption in New York, most recently at the meeting held in Istanbul, and have continued to do so since. Indeed, it was Qatar, in cooperation with other Gulf States, that took the

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initiative to end the League of Arab States Observer Mission, after the latter did its duty by uncovering Qatar's policies; that country has continued to fund armed terrorist groups and support terrorism and the shedding of Syrian blood.

Those who predict the failure of Mr. Annan's mission know what they can do to make that pessimistic assessment come true: they can continue smuggling weapons to armed groups that spread death, destruction and corruption in Syria. Those parties incite the armed opposition to continue attacking peaceful civilians, law enforcement forces and Government and civilian facilities.

The Syrian Arab Republic strongly condemns those policies, which are not in keeping with the Security Council resolution or the Special Envoy's mission. It calls on the Security Council to fulfil its mandate by putting an end to the Qatari leaders' support for terrorism, which could undermine the Security Council resolution and Mr. Annan's mission.

I should be grateful if this letter could be circulated as a document of the Security Council.

(*Signed*) Bashar **Ja'afari**
Permanent Representative of the Syrian Arab Republic
to the United Nations

United Nations S/2012/244

Security Council

Distr.: General
20 April 2012

Original: English

Fifteenth semi-annual report of the Secretary-General on the implementation of Security Council resolution 1559 (2004)

I. Background

1. The present document is my fifteenth semi-annual report on the implementation of Security Council resolution 1559 (2004). It provides a comprehensive assessment of the process of the implementation of the resolution since my last report, issued on 19 October 2012 (S/2011/648). It highlights in particular the absence of tangible progress on key provisions of the resolution, and concerns that continue to impede efforts to strengthen the sovereignty, territorial integrity and political independence of Lebanon, which is the main objective of the resolution.

2. During the period under review, the leadership of Hizbullah has acknowledged publicly for the first time that it has been supported on several levels by the Islamic Republic of Iran since the creation of the militia in 1982.

3. Over the past six months, the deepening crisis in the Syrian Arab Republic has continued to affect Lebanon, increasing political polarization and concern that the unrest in the Syrian Arab Republic could have negative ramifications for Lebanon's stability. It has further stalled processes that are fundamental for the implementation of resolution 1559 (2004) and other Security Council resolutions pertaining to Lebanon. In addition, Syrian security forces have continued to carry out operations along the Syrian-Lebanese border, part of which has been mined in recent months. In a number of instances, shooting at or across the border had led to the death or injury of civilians on Lebanese soil. The most recent tragic incident occurred on 9 April when a Lebanese journalist was killed as the car carrying him and two colleagues came under heavy targeted fire from the Syrian army across the border.

II. Implementation of resolution 1559 (2004)

4. I am glad to recall that, since the adoption of Security Council resolution 1559 (2004) on 2 September 2004, several of its provisions have now been implemented. Presidential and parliamentary elections were held in a free and fair manner. The Syrian Arab Republic withdrew its troops and military assets from Lebanon in April 2005. Lebanon and the Syrian Arab Republic established full diplomatic relations in 2009.

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5. The President, Michel Sleiman, and the Prime Minister, Najib Mikati, have continued to affirm during the reporting period Lebanon's respect for all United Nations resolutions. However, against the background of the escalating crisis in the Syrian Arab Republic there has been yet again no concrete progress towards the implementation of the outstanding provisions of resolution 1559 (2004). The delineation of the Syrian-Lebanese border, which was strongly encouraged by the Security Council in its resolution 1680 (2006), has not yet been carried out. Moreover, the existence and activities of Lebanese and non-Lebanese militias continue to pose a threat to the stability of the country and the region, and highlight the need for the Government of Lebanon and the Lebanese Armed Forces to increase their efforts to reach a full monopoly on the possession of weapons and the use of force throughout Lebanon.

6. My representatives and I have remained in regular contact with all parties in Lebanon over the reporting period, as well as with relevant regional and international leaders. I visited Lebanon from 13 to 15 January 2012 where I held talks with President Sleiman, Prime Minister Mikati, and the Speaker of Parliament, Nabih Berri, as well as a number of representatives of Lebanese parties. During those meetings, I reiterated the United Nations unwavering commitment to the stability and security of Lebanon, as well as the need for Lebanon to meet all of its international obligations, in particular those under relevant Security Council resolutions. In this context, I expressed my deep disappointment at the lack of progress in the implementation of resolution 1559 (2004) over more than two years.

A. Sovereignty, territorial integrity, unity and political independence of Lebanon

7. The objective of resolution 1559 (2004) is to strengthen the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon throughout Lebanon, in line with the Taif Agreement of 1989 to which all the political parties in Lebanon have committed themselves. This goal has remained the highest priority of my efforts to facilitate the implementation of all resolutions pertaining to Lebanon.

8. The Security Council in its resolution 1680 (2006) strongly encouraged the Government of the Syrian Arab Republic to respond positively to the request by the Government of Lebanon to delineate their common border. I have continued to encourage the two countries to achieve the full delineation of their common border. There has been no progress in the period under review on the delineation of the border, particularly in the context of the ongoing crisis in the Syrian Arab Republic. However, I recall that the delineation and demarcation of Lebanon's boundaries remains an essential element to guarantee the country's sovereignty and territorial integrity. It is also a critical step to allow for proper border control. While acknowledging the bilateral nature of border delineation, progress on this matter remains an obligation of the two countries under resolution 1680 (2006), derived from resolution 1559 (2004).

9. Against the backdrop of the crisis in the Syrian Arab Republic more than 10,000 Syrian nationals have crossed the border into Lebanon to seek refuge from the fighting and are being assisted by the United Nations and the Government of Lebanon. Separately, during the reporting period the Syrian army has been

responsible for incursions, notably in October 2011. There were also cross-border shooting incidents, including one on 9 April in which a Lebanese television cameraman was killed, which I strongly deplored. I called on the Syrian Government to respect Lebanon's sovereignty and territorial integrity in accordance with Security Council resolutions. In relation to the October incidents the Government of Lebanon noted that they had occurred in areas where the border is not delineated or demarcated, or is disputed. This underlines the importance of clear and unambiguous borders between the two countries.

10. The continuing occupation by the Israel Defense Forces of the northern part of the village of Ghajar and an adjacent area north of the Blue Line stands in violation of Lebanon's sovereignty, and resolutions 1559 (2004) and 1701 (2006). My representatives and I have continued to engage closely with both parties to facilitate the withdrawal of Israeli forces from the area, as detailed in my last report to the Security Council on the implementation of resolution 1701 (2006) (S/2012/124).

11. Efforts in relation to the issue of the Shab'a Farms area have not recorded any progress, as I have still not received any responses from either the Syrian Arab Republic or Israel to the provisional definition of the area contained in my report on the implementation of resolution 1701 (2006), issued on 30 October 2007 (S/2007/641).

12. During the reporting period, the Israel Defense Forces continued to make almost daily intrusions into Lebanese airspace, mainly by unmanned aerial vehicles, but also with fighter jets. These overflights are violations of Lebanese sovereignty and resolutions 1559 (2004) and 1701 (2006). The Government of Lebanon has repeatedly protested against these violations. I have deplored them and demanded that they cease immediately. Israeli authorities claim in turn that these overflights are carried out for security reasons, citing alleged breaches to the arms embargo enforced pursuant to resolution 1701 (2006).

B. Extension of Lebanese Government control over all Lebanese territory

13. The Government of Lebanon has expressed its intention to extend the State's authority over all Lebanese territory as called for by resolution 1559 (2004) and the Taif Agreement of 1989. The Lebanese Armed Forces and the Internal Security Forces play a crucial role in implementing this commitment. The ability of the Lebanese State to fully exercise its authority over all of its territory has remained curtailed, however. A series of security incidents have highlighted once again the threats to the security of Lebanon posed by armed groups outside of the control of the State and by the proliferation of weapons.

14. As I reported in my last report on the implementation of Security Council resolution 1701 (2006) (S/2012/124), a number of security incidents illustrate the continuing fragility and vulnerability of the situation in the area of operations of the United Nations Interim Force in Lebanon (UNIFIL) during the reporting period. The most serious incident occurred on 9 December when a roadside explosive device detonated targeting a UNIFIL patrol in the suburbs of Tyre: it injured five peacekeepers and two Lebanese civilian bystanders. I condemned this terrorist attack, which was the first against the peacekeeping mission in its area of operations since June 2007. The Government of Lebanon pledged to investigate this attack, and

I have reminded Lebanese officials that I expect to review any reports arising from this investigation in the near term.

15. On 29 November, two rockets were fired across the Blue Line. On 11 December, one rocket was fired from southern Lebanon towards Israel. On 19 December, four rockets ready to be fired were found by the Lebanese Armed Forces in the UNIFIL area of operations. I condemned all indiscriminate rocket attacks and urged all parties to exercise maximum restraint. In addition, three explosions occurred in Tyre, two on 16 November and one on 28 December, causing damage to property. All these incidents are serious violations of relevant Security Council resolutions as they manifest the presence of unauthorized weapons. The Lebanese authorities and politicians across the political spectrum in Lebanon have condemned all these incidents, which represent attempts to destabilize the situation in the south of Lebanon.

16. Over the reporting period, on some occasions, UNIFIL again faced restrictions to its freedom of movement in its area of operations, which in some instances have endangered the safety and security of the United Nations peacekeepers. The freedom of movement of UNIFIL and the security and safety of its personnel are integral to the effective execution of the Force's mandate. I condemned such restrictions on United Nations peacekeepers' freedom of movement. The primary responsibility for ensuring the security and the freedom of movement of UNIFIL in its area of operations lies with the Government of Lebanon, including the Lebanese Armed Forces and the Internal Security Forces.

17. The reporting period has been marked by demonstrations of solidarity or protests in relation to the evolving situation in the Syrian Arab Republic. A worrisome incident occurred on 10 February, when fighting broke out between members of the Alawite and Sunni communities in the northern city of Tripoli resulting in three people killed, and more than 20 injured, including members of the Lebanese Armed Forces. The Lebanese Armed Forces successfully intervened to halt the fighting.

18. Taken together the incidents listed above, in addition to the assassination attempt on 4 April on the leader of the Lebanese Forces, Samir Geagea, are indicative yet again of the ongoing security threats in the country and the proliferation of weapons held by non-State actors. They are also a reminder that the Lebanese authorities should do more to impose law and order throughout the country.

19. Security sources in Lebanon have continued to report shootings and explosions in and around paramilitary infrastructures in the eastern Beka'a Valley belonging to the Popular Front for the Liberation of Palestine-General Command (PFLP-GC) and Fatah al-Intifada headquartered in Damascus, confirming that paramilitary training occurs in these facilities. The permanent presence of such bases along the Syrian-Lebanese border adds to the general porosity of parts of the land border and poses a challenge for the control of the border by the Lebanese security forces. It also makes the delineation of the border more difficult.

20. With regard to Lebanon's border with the Syrian Arab Republic, there continue to be reports of illegal arm transfers now allegedly taking place in both directions. Several Member States have continued to express deep concern over the illegal transfer of weapons across the land borders. Lebanese officials acknowledge the

porous nature of the border and the possibility that arms smuggling occurs. I take these reports very seriously but the United Nations does not have the means to verify them independently. I raised this matter with Lebanese officials during my visit to Beirut and urged them to increase efforts in a more systematic way to ensure strict control along the border. The Lebanese Armed Forces informed the United Nations that the deterioration of the security situation in the Syrian Arab Republic had prompted them to adopt increased measures for the control of the border in order to prevent the movement of arms and military personnel into and out of Lebanon.

21. Given the above-mentioned concerns and the continuing existence and activities of militias in Lebanon, improving the management and control of Lebanon's land borders is critical to prevent the illegal flow of weapons to armed groups. Despite the commitment expressed by the Government of Lebanon to adopt a comprehensive national strategy for border management, little concrete progress has been accomplished on this matter in recent months. In addition, it is an obligation under Security Council resolutions that all States take the necessary measures to prevent the transfer of arms to groups outside the control of the Government of Lebanon. This is a critical factor for stability in Lebanon and the region.

C. Disbanding and disarmament of Lebanese and non-Lebanese militias

22. In its resolution 1559 (2004), the Security Council called for the disarming and disbanding of all Lebanese and non-Lebanese militias. This key remaining provision of the resolution has yet to be implemented. It reaffirms a decision that all Lebanese committed themselves to in the Taif Agreement in 1989, in the aftermath of the civil war. That agreement led at the time to Lebanese militias — with the exception of Hizbullah — giving up their weapons. The agreement must be preserved and implemented by all in order to avoid the spectre of renewed confrontation among the Lebanese.

23. Lebanese and non-Lebanese militias continue to operate in the country outside of the Government's control in serious violation of resolution 1559 (2004). While several groups across the political spectrum in Lebanon possess weapons outside Government control, the armed component of Hizbullah is the most significant and most heavily armed Lebanese militia in the country, reaching almost the capacities of a regular army. The leadership of Hizbullah acknowledges that it maintains a substantial military arsenal. Hizbullah is also a Lebanese political party which is part of the current Government coalition. In addition, there are a series of Palestinian armed groups operating in the country inside and outside the refugee camps.

24. Over the reporting period, there has been no tangible progress towards the disbanding and disarming of Lebanese and non-Lebanese militias as called for in the Taif Agreement and resolution 1559 (2004). During my visit to Lebanon in January, I indicated to my Lebanese interlocutors both privately and publicly the serious risks that the continuing existence of these militias in the country poses to the stability of the country and domestic peace. I urged them to address this matter without further delay, as it is their obligation under resolution 1559 (2004). Since

the adoption of the resolution in 2004, with the exception of the National Dialogue of 2006 that took some preliminary decisions on this matter that were never implemented, no concrete steps have been taken to address this crucial issue, which stands at the heart of the sovereignty and the political independence of Lebanon. Meanwhile, since the adoption of the resolution, several Lebanese groups and individuals have spoken up against the presence of militias in the country, in particular Hizbullah. The continuing existence of Lebanese and non-Lebanese militias undermines the right of every Lebanese citizen to live without fear of physical harm and the consolidation of Lebanon as a democratic State and the stability of the country and the region.

25. The issue of Hizbullah's weapons has remained central to political debate in Lebanon. I recall that the previous tenuous Lebanese consensus on the legitimacy of the arms of Hizbullah has broken down. Opposition figures have singled out Hizbullah's weapons as a destabilizing factor in the country and an obstacle for democracy, as many Lebanese see the continuing existence of such arms as an implicit threat of their use within Lebanon, bearing in mind the events of May 2008. On its part, Hizbullah rejected those statements and claims that its arsenal, separate from that of the Lebanese State, is for defensive purposes against Israel.

26. In several public pronouncements over the past six months, the leadership of Hizbullah stated that it has upgraded the strength of its military capabilities and will seek to continue to do so in blatant defiance of resolution 1559 (2004). In addition, it has disclosed publicly that, since the creation of the militia in 1982, the Islamic Republic of Iran has provided it on a regular basis with political, moral, financial and logistical support, in violation of relevant Security Council resolutions.

27. On several occasions, I have stated my firm conviction that the disarmament of Hizbullah and other militias can best be achieved through a Lebanese-led political process, which will achieve the ultimate goal that there are no weapons or armed forces in Lebanon other than those of the Lebanese State. For that purpose, I recall that the Lebanese leaders had reconvened the National Dialogue after the events of May 2008, the main mandate of which was to develop a national defence strategy that would address the critical issue of weapons outside the control of the State. Regrettably, this forum has not met since 4 November 2010, thereby leaving this sensitive matter concerning the stability of Lebanon unaddressed.

28. President Sleiman has expressed on numerous occasions, including to me, his intention to reconvene the National Dialogue. However, there is no indication at this stage that it will happen soon. The participants in the 14 March alliance have announced that they would attend only if the forum discusses Hizbullah's military arsenal. The latter request was rejected by Hizbullah and its allies, which would not oppose reconvening the National Dialogue if it were to stick to the generic formula of the development of a "national defence strategy".

29. With regard to the situation of Palestinians in Lebanon, the leadership of the Palestine Liberation Organization has reiterated its call upon all Palestinians in Lebanon to respect the sovereignty and political independence of Lebanon and adhere to Lebanese law and security requirements.

30. The situation in most of the 12 Palestinian refugee camps in Lebanon has remained relatively stable, with the exception of Ain al-Hilweh. Occasional security incidents and inter-factional clashes continued to occur in the camp. In particular,

two bodyguards were killed on 14 and 18 December 2011 during assassination attempts against a Fatah security official. In addition, the Lebanese Armed Forces have seized weapons bound for the camp. The threat of internal violence that could potentially spill over into surrounding areas still exists in a number of camps as some of them continue to provide safe haven for those who seek to escape the authority of the State.

31. In March, the Government of Lebanon disclosed that it had discovered a terrorist cell affiliated to Al-Qaida that planned attacks on the Lebanese army. It alleged that the cell had branches in Ain al-Hilweh refugee camp. The Lebanese army has urged the Palestinian factions inside the camp to hand over the members of the cell, in particular its leader who is reportedly residing there.

32. The humanitarian conditions of Palestinian refugees in Lebanon have remained dire and precarious. Prime Minister Mikati pledged that his Government would do its best to improve their living conditions. The long-awaited decree to implement amendments to the labour and social code already agreed by the Lebanese Parliament in 2010 to facilitate the access of Palestinian workers to the labour market was signed on 21 February by the outgoing Minister of Labour but was immediately withdrawn for further consideration by his successor. The United Nations continues to urge the Lebanese authorities to improve the conditions in which Palestinian refugees live in Lebanon, without prejudice to the eventual resolution of the Palestinian refugee question in the context of a comprehensive peace agreement in the region, in particular given the detrimental effects of dismal living conditions on the wider security situation.

33. Lebanese authorities have acknowledged the existence of good cooperation between the Lebanese Armed Forces and Palestinian security officials in the camps. However, with the exception of the Nahr al-Barid camp, Lebanese authorities do not maintain a permanent presence inside the camps, despite the fact that the Cairo agreement of 1969 — which permitted the presence of Palestinian armed forces in the refugees' camps — was annulled by the Lebanese Parliament in 1987. More will need to be done to contain tensions and potential violence in the camps.

34. The presence of Palestinian armed groups outside the camps continues to challenge the ability of Lebanon to exercise full sovereignty over its territory. In spite of the decision taken in 2006 by the National Dialogue, and confirmed at subsequent meetings of the National Dialogue, no progress was made with regard to dismantling the Damascus-headquartered PFLP-GC and Fatah al-Intifada military bases in the country. All but one of these bases are located along the Syrian-Lebanese border. Their presence continues to compromise Lebanese sovereignty and governmental authority. It also poses a challenge to the effective control of the eastern border between Lebanon and the Syrian Arab Republic. I have called consistently upon the Lebanese authorities to dismantle the PFLP-GC and Fatah al-Intifada military bases, and on the Government of the Syrian Arab Republic to cooperate with these efforts.

III. Observations

35. I am disappointed that there has been yet again no further progress towards the implementation of the remaining provisions of resolution 1559 (2004) over the past six months. I am concerned by the stagnation in the process of the implementation

of the resolution, which could lead to the erosion of the provisions already implemented. While I am aware that the remaining provisions of the resolution to be implemented are the most difficult and sensitive, and that the situation in the region has not been conducive to further progress on the outstanding provisions of resolution 1559 (2004), it is in the best interest of Lebanon and the Lebanese to make progress towards the full implementation of the resolution for the long-term stability of the country and the region. Much work lies ahead for the full implementation of resolution 1559 (2004).

36. Lebanon has witnessed relative political stability over the reporting period. This calm is very fragile, however, and increasingly vulnerable to the deterioration of the situation in the Syrian Arab Republic. I am deeply concerned about the impact of the crisis in the Syrian Arab Republic on the political and security situation in Lebanon. The Lebanese political leaders have widely differing views on events inside the Syrian Arab Republic and it is of paramount importance that they all protect Lebanon from potential repercussions. In this regard, I commend the Government of Prime Minister Mikati for its efforts to date to ensure that the negative impact of the crisis in the Syrian Arab Republic on Lebanon is limited.

37. I deplore the violent actions of the authorities of the Syrian Arab Republic along the Lebanese-Syrian border that resulted in death and injury. These actions are unacceptable. I call upon the Government of the Syrian Arab Republic immediately to cease all such actions, and to respect Lebanon's sovereignty and territorial integrity in accordance with resolution 1559 (2004).

38. The proliferation of weapons outside the State's authority combined with the continuing existence of heavily armed militias are of great concern to me for the stability of Lebanon. The presence of Hizbullah and other armed groups hampers the full implementation of resolution 1559 (2004). Armed groups defying the control of the State are incompatible with the objective of strengthening the sovereignty and political independence of Lebanon and with the protection of the country's unique pluralistic system and the rights of Lebanese citizens. I condemn the possession and the use of illegal weapons wherever they occur in Lebanon, in particular in populated areas. I appeal once again to all parties and States to immediately halt all efforts to keep, transfer and acquire weapons and build paramilitary capacities outside the authority of the State. All foreign financial and material support for Lebanon must be channelled transparently through the Government of Lebanon only.

39. I took careful note during my last visit to Lebanon of the fact that the issue of Hizbullah's military arsenal constitutes a central bone of contention in the political debate in Lebanon with confessional overtones, but with implications for all Lebanese. The maintenance by Hizbullah of sizeable sophisticated military capabilities outside the control of the Government of Lebanon creates indeed an atmosphere of intimidation and represents a key challenge to the safety of Lebanese civilians and to the Government's monopoly on the legitimate use of force. It puts Lebanon in violation of its obligations under resolution 1559 (2004) and constitutes a threat to regional peace and stability. I call yet again upon the leaders of Hizbullah to immediately disarm and limit their activities to that of a Lebanese political party, consistent with the requirements of the Taif Agreement and resolution 1559 (2004). In a democratic State, a political party cannot maintain its own militia. This remains

a fundamental anomaly that is incompatible with Lebanon's high ideals of the protection of human rights and democracy.

40. I also call upon the leadership of Hizbullah to stop all efforts to acquire weapons and build paramilitary capacities outside the authority of the State. As Hizbullah maintains close ties with a number of regional States, in particular with the Islamic Republic of Iran as acknowledged publicly by the Secretary-General of the militia himself, I call upon these States to encourage the transformation of the armed group into a solely political party and its disarmament, consistent with the requirements of the Taif Agreement and resolution 1559 (2004), in the best interests of regional peace and stability.

41. I am deeply disappointed that the provision of the resolution calling for the disbanding and disarming of all Lebanese and non-Lebanese militias has remained unaddressed for a long time. Such arms inherently jeopardize and undermine the ability of the State to exercise full sovereignty and control over its territory, as called for by the Taif Agreement and resolution 1559 (2004). This applies in particular to the considerable military capabilities that Hizbullah continues to maintain. It puts Lebanon in violation of its international obligations.

42. I remain convinced that the disarmament of armed groups in Lebanon, particularly Hizbullah, can best be achieved through a Lebanese-led cross-party political process, but this process cannot make headway until external actors cease their military support to Hizbullah and the group itself agrees to discuss its arsenal in good faith. I regret that the National Dialogue has not reconvened since November 2010. Irrespective of the particular composition of the government, the authority of the Lebanese State can be consolidated only through progress on the issue of arms beyond its control. Lebanon can and must revitalize the efforts to address the challenge posed by the continued presence of arms outside the authority of the Lebanese State either through the National Dialogue or other means it may deem appropriate. I urge the Lebanese leaders to resume and accelerate their discussions on the development of a national defence strategy and to achieve tangible progress. The end result of such a process must be that there are no weapons without the consent of the Government of Lebanon and no authority other than that of the Government of Lebanon. I therefore call upon President Sleiman and Prime Minister Mikati to take tangible measures in this regard without delay.

43. I also encourage President Sleiman and the Government of Prime Minister Mikati to finally implement decisions taken in the past by the National Dialogue, such as the dismantling of Palestinian military bases maintained by the Damascus-headquartered PFLP-GC and Fatah al-Intifada outside the refugee camps. The commitment of the Government's policy platform to the implementation of previous National Dialogue decisions must be materialized. These bases, most of which straddle the border between Lebanon and the Syrian Arab Republic, undermine Lebanese sovereignty and challenge the country's ability to manage its land borders. Mindful that these two militias maintain close regional ties, I expect the Government of the Syrian Arab Republic to act constructively in this process.

44. I remain concerned by the conditions of hardship inside Palestinian refugee camps. I call on the Government of Lebanon to implement amendments to the Lebanese Labour Code and Social Security Law adopted in August 2010, so as to improve the employment prospects of Palestinian refugees. Moreover, the Government of Lebanon and donors should support and strengthen the work of the

United Nations Relief and Works Agency for Palestine Refugees in the Near East to ensure fundamental improvements in the living conditions of Palestinian refugees. Such progress would not prejudice the eventual resolution of the Palestinian refugee question in the context of a comprehensive regional peace agreement.

45. The profound political and humanitarian crisis in the Syrian Arab Republic has further hindered progress towards the delineation and demarcation of the border between Lebanon and the Syrian Arab Republic. I regret the absence of progress and urge the two countries to move forward on this issue, which has a significant impact on enhancing border control. The delineation of the border is critical to a positive relationship between the two countries.

46. I urge the Government of Lebanon to move forward and adopt and implement a comprehensive border management strategy in the coming period. Doing so would permit better control of Lebanon's international borders and prevent the illegal transfers of arms in both directions. This has become even more pressing in the context of the events in the neighbouring Syrian Arab Republic and would help to stem potential negative repercussions.

47. I deplore Israel's continuing violations of Lebanon's sovereignty and territorial integrity. I call upon Israel to adhere to its obligations under relevant Security Council resolutions and withdraw its forces from the northern part of the village of Ghajar and an adjacent area north of the Blue Line, and cease its overflights of Lebanese airspace that raise tension, undermine the credibility of Lebanese security services, increase the risk of unintended conflict and generate anxiety among the civilian population.

48. The recurrence of security incidents throughout Lebanon remains of serious concern to me. I am in particular disturbed by the assassination attempt on Lebanese Forces leader Samir Geagea, which I strongly condemn. I call upon the Lebanese authorities to deploy every effort to arrest those responsible for this assassination attempt and bring them to justice. Attempts to destabilize the domestic situation in Lebanon by conducting political assassinations are unacceptable. The establishment of the Special Tribunal for Lebanon signals the strong determination of the international community to put an end to impunity in Lebanon. In this context, I extended the mandate of the Special Tribunal for Lebanon for a period of three years, from 1 March 2012, and I thank the Government of Lebanon for transferring its share of the funding for the Tribunal's budget for 2011.

49. The latest security incidents in the country highlight the need for Lebanese security forces to do more to prevent the illegal use of weapons in the country. In this regard, I am grateful to those countries that are helping to equip and to train the Lebanese Armed Forces and the Internal Security Forces, and I urge the international community to continue this critically required support. This is essential to enable the Government of Lebanon to assume effectively its responsibilities under relevant Security Council resolutions.

50. The turmoil in the Syrian Arab Republic has further polarized political life in Lebanon. This should not however detract from the full implementation of resolution 1559 (2004) and all other Security Council resolutions pertaining to Lebanon, which remain the best way to ensure Lebanon's long-term prosperity and stability as a democratic State. It is indeed necessary that the spirit of cooperation and respect for the principles of coexistence and security in Lebanon prevail, as

must domestic peace without intimidation by armed groups. I remain concerned that the combination of mistrust among the parties and the continuing presence of militias could lead to tensions and possible insecurity and instability in Lebanon and beyond. I urge once again all political leaders to transcend sectarian and individual interests and genuinely promote the future and the interests of the State. They must preserve the comprehensive political framework of coexistence in mutual respect, as set out in the Taif Agreement.

51. I remain firmly committed to the implementation of resolution 1559 (2004) for the sake of regional peace and stability, at a particularly difficult and challenging time. I, therefore, call on all parties and actors to fully abide by resolutions 1559 (2004), 1680 (2006) and 1701 (2006). I will continue my efforts towards the full implementation of these and all other Security Council resolutions pertaining to Lebanon.

United Nations S/2012/245

Security Council

Distr.: General
21 April 2012

Original: English

China, Colombia, France, Germany, Morocco, Pakistan, Portugal and Russian Federation: draft resolution

The Security Council,

Recalling its Resolution 2042 (2012), as well as its Presidential Statements of 3 August 2011, 21 March 2012 and 5 April 2012, and also *recalling* all relevant resolutions of the General Assembly,

Reaffirming its support to the Joint Special Envoy for the United Nations and the League of Arab States, Kofi Annan, and his work, following General Assembly resolution A/RES/66/253 of 16 February 2012 and relevant resolutions of the League of Arab States,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of Syria, and to the purposes and principles of the Charter,

Condemning the widespread violations of human rights by the Syrian authorities, as well as any human rights abuses by armed groups, *recalling* that those responsible shall be held accountable, and *expressing* its profound regret at the death of many thousands of people in Syria,

Expressing its appreciation of the significant efforts that have been made by the States bordering Syria to assist Syrians who have fled across Syria's borders as a consequence of the violence, and requesting UNHCR to provide assistance as requested by member states receiving these displaced persons,

Expressing also its appreciation of the humanitarian assistance that has been provided to Syria by other States,

Noting the Syrian government's commitment on 25 March 2012 to implement the six-point proposal of the Joint Special Envoy of the United Nations and the League of Arab States, and to implement urgently and visibly its commitments, as it agreed to do in its communication to the Envoy of 1 April 2012, to (a) cease troop movements towards population centres, (b) cease all use of heavy weapons in such centres, and (c) begin pullback of military concentrations in and around population centres, and to implement these in their entirety by no later than 10 April 2012, and *noting also* the Syrian opposition's expressed commitment to respect the cessation of violence, provided the government does so,

Expressing concern over ongoing violence and reports of casualties which have escalated again in recent days, following the Envoy's assessment of 12 April 2012 that the parties appeared to be observing a cessation of fire and that the Syrian

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government had started to implement its commitments, and *noting* that the cessation of armed violence in all its forms is therefore clearly incomplete,

Supporting the Envoy's call for an immediate and visible implementation by the Syrian government of all elements of the Envoy's six-point proposal in their entirety to achieve a sustained cessation of armed violence in all its forms by all parties,

Taking note of the assessment by the Secretary-General that a United Nations monitoring mission deployed quickly when the conditions are conducive with a clear mandate, the requisite capacities, and the appropriate conditions of operation would greatly contribute to observing and upholding the commitment of the parties to a cessation of armed violence in all its forms and to supporting the implementation of the six-point plan,

Noting the 19 April 2012 Preliminary Understanding (S/2012/250) agreed between the Syrian Arab Republic and the United Nations which provides a basis for a protocol governing the Advance Team and, upon its deployment, the UN supervision mechanism,

Having considered the Secretary-General's letter addressed to the President of Security Council(S/2012/238),

1. *Reaffirms* its full support for and *calls for* the urgent, comprehensive, and immediate implementation of all elements of the Envoy's six-point proposal as annexed to resolution 2042 (2012) aimed at bringing an immediate end to all violence and human rights violations, securing humanitarian access and facilitating a Syrian-led political transition leading to a democratic, plural political system, in which citizens are equal regardless of their affiliations, ethnicities or beliefs, including through commencing a comprehensive political dialogue between the Syrian government and the whole spectrum of the Syrian opposition;

2. *Calls upon* the Syrian government to implement visibly its commitments in their entirety, as it agreed to do in the Preliminary Understanding and as stipulated in resolution 2042 (2012), to (a) cease troop movements towards population centres, (b) cease all use of heavy weapons in such centres, (c) complete pullback of military concentrations in and around population centres, as well as to withdraw its troops and heavy weapons from population centres to their barracks or temporary deployment places to facilitate a sustained cessation of violence;

3. *Calls upon* all parties in Syria, including the opposition, immediately to cease all armed violence in all its forms;

4. *Calls* upon the Syrian armed opposition groups and relevant elements to respect relevant provisions of the Preliminary Understanding;

5. *Decides* to establish for an initial period of 90 days a United Nations Supervision Mission in Syria (UNSMIS) under the command of a Chief Military Observer, comprising an initial deployment of up to 300 unarmed military observers as well as an appropriate civilian component as required by the Mission to fulfil its mandate, and *decides further* that the Mission shall be deployed expeditiously subject to assessment by the Secretary-General of relevant developments on the ground, including the consolidation of the cessation of violence;

6. *Decides also* that the mandate of the Mission shall be to monitor a cessation of armed violence in all its forms by all parties and to monitor and support the full implementation of the Envoy's six-point proposal;

7. *Requests* that the Secretary-General and the Syrian government without delay conclude a Status of Mission Agreement (SOMA), taking into consideration General Assembly resolution 58/82 on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel, and *notes* the agreement between the Syrian government and the United Nations that, pending the conclusion of such an agreement, the model SOFA agreement of 9 October 1990 (A/45/594) shall apply provisionally;

8. *Calls upon* the Syrian government to ensure the effective operation of UNSMIS by: facilitating the expeditious and unhindered deployment of its personnel and capabilities as required to fulfil its mandate; ensuring its full, unimpeded, and immediate freedom of movement and access as necessary to fulfil its mandate, underlining in this regard the need for the Syrian government and the United Nations to agree rapidly on appropriate air transportation assets for UNSMIS; allowing its unobstructed communications; and allowing it to freely and privately communicate with individuals throughout Syria without retaliation against any person as a result of interaction with UNSMIS;

9. *Calls upon* the parties to guarantee the safety of UNSMIS personnel without prejudice to its freedom of movement and access, and *stresses* that the primary responsibility in this regard lies with the Syrian authorities;

10. *Requests* the Secretary-General to report immediately to the Security Council any obstructions to the effective operation of UNSMIS by any party;

11. *Reiterates* its call for the Syrian authorities to allow immediate, full and unimpeded access of humanitarian personnel to all populations in need of assistance, in accordance with international law and guiding principles of humanitarian assistance and calls upon all parties in Syria, in particular the Syrian authorities, to cooperate fully with the United Nations and relevant humanitarian organizations to facilitate the provision of humanitarian assistance;

12. *Invites* all Member States to consider making appropriate contributions to UNSMIS as requested by the Secretary-General;

13. *Requests* the Secretary-General to report to the Council on the implementation of this resolution within 15 days of its adoption and every 15 days thereafter, and also to submit, as necessary, to the Council proposals for possible adjustments to the UNSMIS mandate;

14. *Expresses* its intention to assess the implementation of this resolution and to consider further steps as appropriate;

15. *Decides* to remain seized of the matter.

United Nations A/66/776–S/2012/246

General Assembly
Security Council

Distr.: General
23 April 2012
English
Original: Russian

General Assembly
Sixty-sixth session
Agenda items 34, 35, 39 and 67

Prevention of armed conflict

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Elimination of racism, racial discrimination, xenophobia and related intolerance

Security Council
Sixty-seventh year

Letter dated 18 April 2012 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

I wish to draw your attention to the unremitting efforts by Azerbaijan to exploit the offices of the United Nations for the purposes of disseminating anti-Armenian propaganda and fabrications. The latest example of this is the letter from the Permanent Representative of the Republic of Azerbaijan dated 23 March 2012 (A/66/764-S/2012/204), drafted in full compliance with the lamentably well-known principle: "If you tell a big enough lie and you keep repeating it, in the end people will start believing it".

It is telling that the representative of Azerbaijan, voicing his indignation at the dissemination of a statement by the Ministry of Foreign Affairs of the Republic of Nagorny Karabakh, does not refute a single one of the facts enunciated in that statement. Instead, the Azerbaijani letter follows the well-worn path of taking quotations out of context and deliberately misinterpreting them in order to distort the facts and denigrate the Armenian people and their leaders. It is worth noting here that even one of the authors so extensively quoted by the Permanent Representative of Azerbaijan — Thomas de Waal — was constrained in February 2012 to express his displeasure at the way the "Azerbaijanis have ignored my admonition to treat the book as a whole and not to quote from it selectively" (see http://carnegieendowment.org/2012/02/24/president-interview-and-tragic-anniversary/9vpa).

The aggressive assertions by the representative of Azerbaijan come as no surprise to us — this is a country whose president, in his public pronouncements, describes all the Armenians in the world as fascists and enemies of Azerbaijan. The chauvinistic and anti-Armenian rhetoric issuing from Baku is, first and foremost, an

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endeavour by the leaders of Azerbaijan to shirk responsibility for the consequences of the military conflict which they unleashed and for the crimes which they committed. In this way, the Azerbaijani authorities are attempting to convert the rejection by their own people of the country's authoritarian hereditary regime into hatred for their neighbours and to cloak the true state of affairs in Azerbaijan, where human rights and democratic freedoms are rampantly flouted and any dissent is crushed.

By distorting both the essence of the Nagorny Karabakh problem and its causes and rejecting one after the other the recommendations by the Co-Chairs of the Minsk Group of the Organization for Security and Cooperation in Europe, Azerbaijan is holding up progress in the negotiating process for a peaceful settlement to the Karabakh conflict on the basis of the three principles of international law: non-use of force or the threat of force; self-determination of peoples; and territorial integrity.

It is also common knowledge that none other than the former President of Azerbaijan, Heydar Aliyev, after repeatedly failing to solve the problem through successive military attacks, conducted in breach of the resolutions of the United Nations Security Council, gave authority, by his own signature, to top-ranking officials of Azerbaijan to conduct negotiations with representatives of the authorities of the Nagorny Karabakh Republic, while he himself met in person with the leader of Nagorny Karabakh. It was precisely thanks to such direct negotiations with Nagorny Karabakh that a ceasefire agreement was concluded between Nagorny Karabakh and Azerbaijan, and also joined by Armenia.

The authorities of Nagorny Karabakh, who have been deprived of the possibility of providing their own direct response in international organizations to the propaganda and fabrications put about by Azerbaijan, which run entirely counter to the efforts by the international community to settle the conflict, are naturally obliged to appeal to the representatives of Armenia at international organizations, including the United Nations, requesting them to put forward the position of Nagorny Karabakh in response to the insinuations made by Azerbaijan.

I should be grateful if the present letter could be circulated as a document of the General Assembly under agenda items 34, 35, 39 and 67, and also as a document of the Security Council.

(*Signed*) Garen **Nazarian**
Ambassador
Permanent Representative

United Nations S/2012/247

Security Council

Distr.: General
19 April 2012

Original: English

Letter dated 19 April 2012 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council

I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the open debate of the Council, which will be held on Monday, 23 April 2012, regarding the situation in the Middle East, including the Palestinian question.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer

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United Nations A/ES-10/552–S/2012/248

General Assembly
Security Council

Distr.: General
23 April 2012

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-seventh year

Identical letters dated 20 April 2012 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

I regret to inform you that the situation of Palestinian political prisoners illegally imprisoned and detained by Israel, the occupying Power, continues to be grave, and the already deplorable conditions in which they are being held continue to deteriorate, owing to escalating Israeli violations of international humanitarian and human rights law.

On 17 April 2012, the day observed by the Palestinian people as "Prisoners' Day" in solidarity with thousands upon thousands of Palestinians held captive by Israel, more than 1,600 Palestinian prisoners and detainees began an open-ended hunger strike to protest against the inhumane, oppressive measures by the occupying Power that continue to deprive them of their basic human rights and to threaten their well-being, safety and lives. The 1,600 prisoners joined several Palestinian prisoners who have already been on prolonged hunger strike in protest of the illegal Israeli practice of administrative detention, by which the occupying Power continues to hold hundreds of Palestinians without charge or trial. Some of those detainees have now been on hunger strike for over 50 days, while others for over a month's time, and are in extremely fragile health. They include Thaer Halahla, Bilal Diab, Hassan Safadi, Omar Abu Shlal, Ahmed Sakar and others.

At this time, we must once again draw the international community's attention to the many oppressive measures and forms of physical and psychological abuse to which Palestinian prisoners and detainees are subjected by the occupying Power. This includes forcing them to live in unsanitary and unhygienic conditions; depriving them of their right to education and health care; denial of family visits; denial of access to legal help; solitary confinement; forced interrogations; humiliation; threats to themselves or their family members; and sleep deprivation, shackling to chairs and beds and forcing them to remain in painful, stress positions for long periods and other forms of torture. The hunger strikers are bravely aiming to call attention to all of these illegal, abusive Israeli practices along with the illegal

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practice of administrative detention and to urge the international community to take action to compel Israel, the occupying Power, to cease these deplorable practices and to release the thousands of Palestinian civilians, including children, women and elected officials, that it is inhumanely holding in captivity in its prisons and detention centres, and to whose ranks Israel continues to add every single day with its ongoing arrest campaign.

We hold Israel, the occupying Power, fully responsible for the lives and well-being of all the Palestinian prisoners who have resorted to this peaceful, non-violent measure of protest against Israel's extreme abuses, and call on the international community to act urgently to address this issue in accordance with international law, including humanitarian law, specifically article 76 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, which clearly defines the rights of protected persons faced with detention by an occupying Power.

Today, I am also compelled to inform you of acts of violence and terrorism that continued to be perpetrated by Israeli occupying forces and illegal Israeli settlers this past week against Palestinian civilians as well as international peace activists, and measures taken against the properties and homes belonging to Palestinian civilians in the Occupied Palestinian Territory, including East Jerusalem.

In this connection, on Wednesday, 18 April 2012, Rinad Qudeih, aged 27, was hit in the head by gunfire by the Israeli occupying forces in the southern part of the besieged Gaza Strip. Ms. Qudeih was working in her family's field when she was shot in the head and was taken to a nearby hospital to treat her wounds. Also on 18 April, Israeli occupying forces continued with their unlawful evictions of Palestinians from their homes in the Occupied West Bank. Palestinian families, numbering 13 people, in Occupied East Jerusalem were evicted from their homes in the neighbourhood of Beit Hanina, to clear the way for illegal Jewish settlers to take over to build a new illegal settlement there with more than 100 settlement units. This unlawful takeover is reminiscent of what took place in nearby Sheikh Jarrah in Occupied East Jerusalem, where a handful of heavily protected Jewish settlers now live in the predominantly Palestinian community as part of a larger policy aimed at forcing out as many Palestinians as possible from the City, advancing the ethnic cleansing of the City's indigenous Palestinian inhabitants and thus its Judaization.

We call on Israel, the occupying Power, to respect international law and the demands of the international community to stop this illegal practice. And, we recall, in this regard, the recent statement by the United Nations Humanitarian Coordinator, Maxwell Gaylard, who reaffirmed that "evictions of Palestinians from their homes and properties in Occupied Territory contravene international law, including the Fourth Geneva Convention, and should cease".

Moreover, on Tuesday, 17 April 2012, a Palestinian man was seriously injured in the West Bank town of Al-Khalil (Hebron) after Jewish settlers invaded his home and assaulted him. He was rushed to the hospital with severe injuries. Such illegal actions by extremist Israeli settlers, which continue to intensify, are occurring in full view of the occupying forces, who continue to take no action to hold these settlers accountable and continue to provide them with impunity and protection while they are carrying out these crimes. We call on the international community to take urgent actions to end the unchecked rampage by settlers against the unprotected Palestinian civilian population throughout the Occupied Palestinian Territory, including East

Jerusalem, and to guarantee the protections of international humanitarian law to our people.

In addition to the above, it is also important to note that more than 1,500 activists from all over the world had planned to take part in the "Welcome to Palestine" peaceful campaign to participate in humanitarian and voluntary work activities, including, inter alia, helping to build a school in Bethlehem and work on some agricultural activities alongside Palestinian farmers. Unfortunately, more than 60 per cent of them were barred from attending, through the unexplained cancellation of airline tickets or the refusal by the occupying Power of entry into the Occupied Palestinian Territory upon arrival at the airport. Of those activists that were able to participate in non-violent protests and demonstrations affiliated with the "Welcome to Palestine" peaceful campaign against illegal Israeli policies and practices, many were subjected to aggression and violence by the Israeli occupying forces. This includes the barbaric assault against a Danish national, Andreas Ias, aged 20, who was assaulted in the face by a senior Israeli military commander with an M-16 rifle during a peaceful bicycle ride to demonstrate against the limited access to resources in the Jordan Valley.

Such intimidation and assaults by the occupying Power on pro-peace activists are clearly aimed at discouraging principled activists around the world from coming to the Occupied Palestinian Territory to express their solidarity with the Palestinian people and to call for respect for the principles of justice and freedom as well as international laws and norms. This abusive Israeli treatment of international peaceful activists requires redress by the international community, which should defend peace activists as well as the principles of international humanitarian law that they strive to defend by peaceful and non-violent means.

All of the pressing issues addressed in this letter constitute further confirmation of the dire situation that prevails in the Occupied Palestinian Territory, including East Jerusalem, requiring the international community's urgent attention. Israel, the occupying Power, must be held responsible for all of its illegal and provocative actions. The international community, particularly the Security Council, cannot continue to stand idly by as the occupying Power perpetrates its criminal and inhumane treatment of Palestinian prisoners and detainees. Serious and timely efforts are needed to uphold the legal obligation to protect the Palestinian people under occupation, including the prisoners and detainees, to enforce the law and to salvage the chances of achieving peace and security.

This letter is in follow-up to our previous 423 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 9 April 2012 (A/ES-10/551-S/2012/202) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations

United Nations S/2012/249

Security Council

Distr.: General
24 April 2012

Original: English

France, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling and *reaffirming* all its previous resolutions on Western Sahara,

Reaffirming its strong support for the efforts of the Secretary-General and his Personal Envoy to implement resolutions 1754 (2007), 1783 (2007), 1813 (2008), 1871 (2009), 1920 (2010), and 1979 (2011),

Reaffirming its commitment to assist the parties to achieve a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and *noting* the role and responsibilities of the parties in this respect,

Reiterating its call upon the parties and States of the region to cooperate more fully with the United Nations and with each other and to strengthen their involvement to end the current impasse and to achieve progress towards a political solution,

Welcoming the efforts of the Secretary-General to keep all peacekeeping operations, including MINURSO, under close review and reiterating the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Expressing concern about the violations of existing agreements, and *calling on* the parties to respect their relevant obligations,

Taking note of the Moroccan proposal presented on 11 April 2007 to the Secretary-General and *welcoming* serious and credible Moroccan efforts to move the process forward towards resolution; also *taking note* of the Polisario Front proposal presented 10 April 2007 to the Secretary-General,

Encouraging in this context, the parties to demonstrate further political will towards a solution including by expanding upon their discussion of each other's proposals,

Taking note of the four rounds of negotiations held under the auspices of the Secretary-General and the continued rounds of informal talks, and *welcoming* the progress made by the parties to enter into direct negotiations,

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Welcoming the progress made by the parties in discussing innovative negotiating approaches and discrete subjects, their commitment to deepen the discussions on these and other issues, and the 9 November 2011 meeting of the parties on natural resources and progress made towards demining,

Welcoming the positive conclusion of the 12-16 September 2011 UNHCR-sponsored seminar on Hassaniya culture and the agreement by the parties to hold two additional seminars in 2012, as well as the holding of a UNHCR-facilitated high-level meeting on Confidence Building Measures for Western Sahara on 24-25 January 2012,

Stressing the importance of improving the human rights situation in Western Sahara and the Tindouf camps, and encouraging the parties to work with the international community to develop and implement independent and credible measures to ensure full respect for human rights, bearing in mind their relevant obligations under international law,

Welcoming the opening of National Council on Human Rights Commissions operating in Dakhla and Laayoune, and the steps taken by Morocco in order to fulfil its commitment to ensure unqualified and unimpeded access to all Special Procedures of the United Nations Human Rights Council,

Also welcoming the implementation of the enhanced refugee protection program developed by the Office of the UN High Commissioner for Refugees in coordination with the Polisario Front, which includes refugee and human rights training and awareness initiatives,

Reiterating the request that UNHCR maintain its consideration of a refugee registration in the Tindouf refugee camps,

Looking forward to the implementation of the updated plan of action on confidence building measures adopted in Geneva 24-25 January 2012, including the inauguration of family visits by land, use of new information technology to facilitate communication links between families, and the continuation and expansion of the existing programme by air, and encouraging the parties to cooperate with the Office of the United Nations High Commissioner for Refugees in implementing their agreement,

Welcoming the commitment of the parties to continue the process of negotiations through the United Nations-sponsored talks,

Recognizing that the consolidation of the status quo is not acceptable, and *noting further* that progress in the negotiations is essential in order to improve the quality of life of the people of Western Sahara in all its aspects,

Affirming support for the Secretary-General's Personal Envoy for Western Sahara Ambassador Christopher Ross and his work in facilitating negotiations between the parties, *welcoming* his ongoing consultations with the parties and neighbouring states, and *looking forward* to his regional visit in the near future, including to Western Sahara, as per the communiqué of the Informal Meeting on Western Sahara 11-13 March 2012,

Affirming support for the Special Representative of the Secretary-General for Western Sahara and Head of MINURSO Hany Abdel-aziz,

Having considered the report of the Secretary-General of 11 April 2012 (S/2012/197),

1. *Decides* to extend the mandate of MINURSO until 30 April 2013;

2. *Reaffirms* the need for full respect of the military agreements reached with the United Nations Mission for the Referendum in Western Sahara (MINURSO) with regard to the ceasefire and *calls* on the parties to adhere fully to those agreements;

3. *Calls upon* all parties to cooperate fully with the operations of MINURSO, including its free interaction with all interlocutors, and to take the necessary steps to ensure the security of as well as unhindered movement and immediate access for the United Nations and associated personnel in carrying out their mandate, in conformity with existing agreements;

4. *Welcomes* the parties' commitment to continue the process of holding small, informal talks in preparation for a fifth round of negotiations, and *recalls* its endorsement of the recommendation in the report of 14 April 2008 (S/2008/251) that realism and a spirit of compromise by the parties are essential to achieve progress in negotiations;

5. *Calls* upon the parties to continue to show political will and work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations, thus ensuring implementation of resolutions 1754 (2007), 1783 (2007), 1813 (2008), 1871 (2009), 1920 (2010), and 1979 (2011) and the success of negotiations, inter alia, by continuing their discussion of the ideas in paragraph 120 of the Secretary General's report (S/2011/249);

6. *Affirms* its strong support for the commitment of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara in this context and calls for an intensified pace of meetings and strengthening of contacts;

7. *Calls* upon the parties to continue negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and subsequent developments, with a view to achieving a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect;

8. *Invites* Member States to lend appropriate assistance to these talks;

9. *Requests* the Secretary-General to brief the Security Council on a regular basis, and at least twice a year, on the status and progress of these negotiations under his auspices, on the implementation of this resolution, challenges to MINURSO's operations and steps taken to address them, and *expresses* its intention to meet to receive and discuss his briefings and in this regard, further *requests* the Secretary-General to provide a report on the situation in Western Sahara well before the end of the mandate period;

10. *Welcomes* the commitment of the parties and the neighbouring states to hold periodic meetings with the Office of the United Nations High Commissioner for Refugees to review and, where possible, expand confidence-building measures;

11. *Urges* Member States to provide voluntary contributions to fund confidence-building measures that allow for visits between separated family members, as well as for other confidence-building measures agreed upon between parties;

12. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in MINURSO with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action including pre-deployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

13. *Decides* to remain seized of the matter.

United Nations S/2012/250

Security Council

Distr.: General
23 April 2012

Original: English

Note by the Secretary-General

The Secretary-General has the honour to transmit herewith to the Security Council the preliminary understanding between the Government of the Syrian Arab Republic and the United Nations, and its annex, concluded on 19 April 2012 in Damascus, concerning the working arrangements of the United Nations military observers in the Syrian Arab Republic.

12-30642 (E) 230412

Please recycle

Preliminary understanding

United Nations supervision mechanism

Syrian Arab Republic

19 April 2012

Introduction

1. The Security Council, in its resolution 2042 (2012), reaffirms its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic, and to the principles of the Charter.

2. This agreement is intended to provide a basis for a protocol governing the advance team and, upon its deployment, the United Nations supervision mechanism to monitor and support a cessation of armed violence in all its forms by all parties and the implementation of the Special Envoy's six-point plan (endorsed by the Security Council in resolution 2042 (2012)). This agreement identifies issues, responsibilities and procedures that are required for the advance team and the effective deployment of a United Nations supervision mechanism, once mandated by the Council.

3. This agreement is subject to any relevant Security Council resolutions and without prejudice to the model status of mission agreement and to the agreement to be concluded with the Government concerning the status of the United Nations supervision mechanism in the territory of the Syrian Arab Republic. It is understood that pending the conclusion of the latter agreement, the model status of mission agreement shall apply.

A. Basic assumptions

4. Based on the six-point plan of the Special Envoy and the exchange of letters between the Special Envoy and the Syrian authorities it is assumed that:

5. As at 10 April 2012 the Government of the Syrian Arab Republic had implemented:

(a) The cessation of troop movements towards population centres;

(b) The end of the use of heavy weapons in population centres;

(c) The beginning of the pullback of military concentrations in and around population centres.

B. Tasks and responsibilities of the parties

B1. Tasks and responsibilities of the Syrian Government

6. As of 12 April 2012:

(a) Cease armed violence in all its forms;

(b) Complete the pullback of all Syrian Army military concentrations and their heavy weapons from inside and around population centres and return them to their barracks or their places of temporary deployment;

(c) Other responsibilities derived from the six-point plan in line with the mandate;

(d) Any other tasks/activities agreed by the Chief Military Observer with the parties.

7. The Government of the Syrian Arab Republic ensures the following:

(a) The maintenance of security and law and order through the use of its police and law enforcement agencies, in a manner consistent with international humanitarian and human rights law;

(b) The safety and security of all United Nations military observers, staff officers, United Nations international and national staff and United Nations premises, properties and infrastructures, when and where required by the Chief Military Observer without prejudice to the freedom of movement as all personnel of the advance team and, upon its deployment, the United Nations supervision mechanism;

(c) The full and unimpeded access of humanitarian personnel to all populations in need of assistance in accordance with the guidelines established in General Assembly resolution 46/182.

8. The issue of the use of air assets by the United Nations supervision mechanism may be discussed and agreed at a later date.

9. The Government of the Syrian Arab Republic allows unhindered access of United Nations personnel to any facility, location, individual or group considered of interest by the advance team and, upon its deployment, the United Nations supervision mechanism, in accordance with their tasks and in keeping with their mandates.

10. The Government of the Syrian Arab Republic facilitates the granting of visas upon arrival and expedites the issuance of cross-border documents to allow the entry of United Nations personnel and equipment whose names and nature will be communicated to the Syrian authorities. The Government of the Syrian Arab Republic, in conformity with Syrian law, also allows the timely entry of all monitoring, security, communications and protective equipment required by the United Nations military observers to implement their mandated tasks, as defined by the Chief Military Observer, such as:

(a) Armoured vehicles;

(b) Personal protective gear (helmets and fragmentation vests);

(c) Navigation systems;

(d) Information technology and communications equipment as needed for the mandate;

(e) First aid kit.

11. Syrian Army operational requirements:

(a) Complete the pullback of Syrian Army concentrations and heavy weapons from inside and around population centres;

(b) Refrain from operational deployments and movements towards, inside and around population centres;

(c) Cease armed violence in all its forms;

(d) Withdraw all Syrian Army concentrations and their heavy weapons from inside and around population centres and return them to their barracks or temporary deployment places;

(e) Any other tasks/activities agreed with the parties.

12. The Syrian Armed Forces may continue to maintain the security of strategic assets and installations, e.g., ports, airports, highways, refineries, etc.

B2. Tasks and responsibilities to be confirmed by the Special Envoy with and in respect of the armed opposition groups and relevant elements

13. As of 12 April 2012:

(a) A complete halt to the fighting and a sustained cessation of armed violence in all its forms;

(b) Other responsibilities derived from the six-point plan;

(c) Any other tasks/activities agreed by the Chief Military Observer with the parties.

14. Armed opposition groups and relevant elements should ensure the following:

(a) No threat to the security of all United Nations military observers, staff officers, United Nations international and national staff and United Nations premises, properties and infrastructures while in areas where armed opposition groups and relevant elements are present, when and where required by the Chief Military Observer, without prejudice to the freedom of movement of all personnel of the advance team and, upon its deployment, the United Nations supervision mechanism;

(b) Freedom of movement within all areas where armed opposition groups and relevant elements are present;

(c) The full and unimpeded access of humanitarian personnel to all populations in need of assistance.

15. Armed opposition groups and relevant elements should allow unhindered access of United Nations personnel to any facility, locations, individual or group considered of interest by the advance team and, upon its deployment, the United Nations supervision mechanism.

16. Armed opposition groups and relevant elements operational requirements:

(a) Cease all acts of aggression against Syrian Army formations, bases, convoys and infrastructure;

(b) Cease all acts of aggression against Government agencies, buildings, infrastructure as well as private and public properties, and not hinder the resumption of public services;

(c) Commit to stop all illegal activities according to Syrian law, including assassinations, kidnapping or vandalism; and to return all public and private property, stolen through violence, to its rightful owners;

(d) Refrain from training, rearming, regrouping or reorganizing military formations;

(e) Cease public and private displays of weapons;

(f) Commit, in accordance with Syrian law, not to conduct or initiate activities such as establishing checkpoints, conducting patrols or policing activities;

(g) Allow the safe return of all affected people to their places of residence.

C. United Nations supervision mechanism

17. Upon deployment of a Security Council-mandated supervision mission to the territory of the Syrian Arab Republic, the mission will monitor and support a cessation of violence in all its forms by all parties and the implementation of the Special Envoy's six-point plan. The United Nations supervision mechanism will carry out its activities in accordance with the mandate established by the Council and, where appropriate, the United Nations supervision mechanism will coordinate with the Syrian authorities.

18. Without prejudice to the model status of mission agreement and to the agreement to be concluded with the Government concerning the status of the United Nations supervision mechanism in the territory of the Syrian Arab Republic, the parties shall respect the advance team and the United Nations supervision mechanism's right to:

(a) Conduct its mandated activities;

(b) Observe, establish and assess facts and conditions on the ground in an independent and impartial manner;

(c) Liaise and engage with all relevant parties;

(d) Move freely throughout the country, in accordance with the mandate, with the exception of the occupied Golan;

(e) Operate free from intimidation or harassment or threat to their safety and security and to the inviolability of United Nations premises and facilities;

(f) Interact freely and confidentially with any individual, group of individuals, body or institution in the Syrian Arab Republic without threat of harassment or reprisal against them;

(g) Secure unobstructed communications between United Nations elements as well as with United Nations Headquarters.

19. As a practical matter, the United Nations supervision mechanism will be organized in central and regional headquarters team sites deployed throughout the country. It will have support services and enablers to allow its operations.

D. Obligations of the personnel of the United Nations supervision mechanism

20. In addition to the rights, facilities, privileges and immunities mentioned in the model status of mission agreement and in the agreement to be concluded with the Government concerning the status of the United Nations supervision mechanism in the territory of the Syrian Arab Republic, the advance team, the United Nations supervision mechanism and their personnel shall enjoy the privileges and immunities specified in the Convention on the Privileges and Immunities of the United Nations. In particular, the United Nations military observers shall enjoy the status of experts on mission within the meaning of article VI of the Convention.

21. United Nations military observers will, within the framework of the Security Council mandate, also have the following operational freedoms, with, where appropriate, notification/coordination with the Syrian Government:

(a) Freedom of movement/action to conduct their tasks in support of the mandate;

(b) Freedom to conduct any type of mandated operation at any time, by foot or by car;

(c) Freedom to transport and conduct the medical evacuation of United Nations personnel;

(d) Freedom to take pictures of military units and military equipment for the purpose of investigating violations;

(e) Freedom to park and/or stay in the vicinity of military positions of the Syrian Government and places of the armed opposition in accordance with the mandate;

(f) Freedom to use technical equipment to monitor the compliance with the ceasefire, the six-point plan, the preliminary understanding and any subsequent agreements (Global Positioning System (GPS), communications, photography);

(g) Freedom to install temporary observation posts inside population centres;

(h) Freedom to monitor convoys of military vehicles approaching population centres;

(i) Freedom to access detention centres and medical centres in coordination with the International Committee of the Red Cross and the Syrian Arab Red Crescent in the context of the implementation of mandated tasks;

(j) Freedom to investigate any potential violation.

22. Any action from any party preventing the advance team or the United Nations supervision mechanism from implementing mandated tasks is a violation.

E. Liaison coordination and resolution of disputes

23. Weekly or as needed liaison forums in each team site shall be convened, involving team United Nations military observers, local government representatives, local opposition leaders and/or activists and other representatives of civil society in order to clarify issues of concern.

24. The Chief Military Observer shall conduct regular meetings with senior Syrian Government interlocutors and opposition figures.

F. Coordination and notification procedures

25. In general, specific modalities for coordination and notification will be worked out by the Chief Military Observer in consultation with all parties. Should agreement not be reached within a reasonable time, the Chief Military Observer will issue a temporary ruling which will stay in effect until an agreement has been reached.

26. The Chief Military Observer, in coordination with the Syrian Government authorities and armed opposition groups and relevant elements, will list, within 20 days of the adoption of an agreement, all relevant geographic information specifying on United Nations maps the population centres and other locations relevant to the mandate. This map will be communicated to the Security Council.

27. The Chief Military Observer, in coordination with the Syrian Government authorities and armed opposition groups and relevant elements, will list all relevant information specifying heavy weapons/weapons systems involved in the conflict (see annex 1).

28. The Syrian Government and armed opposition groups and relevant entities will inform the United Nations supervision mechanism of activities for which they request coordination, in writing through a liaison channel. The United Nations supervision mechanism will acknowledge in writing receipt of these requests within three days maximum.

29. In the event of an alleged violation occurring, the advance team and, upon its deployment, the United Nations supervision mechanism, will investigate the circumstances surrounding the violation and notify the offending party in writing and state necessary corrective action.

30. All disputes, misunderstandings and requests for clarifications shall be brought immediately to the attention of the senior United Nations military observer deployed on the ground in the specific area. In case further consultations are required, the issue shall be brought immediately to the attention of the Chief Military Observer.

31. Subject to the relevant Security Council resolutions, and without prejudice to the model status of mission agreement and to the agreement to be concluded with the Government concerning the status of the United Nations supervision mechanism in the territory of the Syrian Arab Republic, the aim of this preliminary understanding is to form the basis of a protocol that will have annexed to it an illustrative list of violations and agreed definitions.

Annex

United Nations supervision mechanism — Syrian Arab Republic

Definition of terms

1. **Syrian Army**: are military national forces, consisting of land forces, air and air defence forces, naval forces including marines, internal security forces and additional forces comprising reserve forces, People's Army forces, and others to be established as necessary by the Government of the Syrian Arab Republic.

2. **Military barracks**: are permanent military facilities that accommodate, train or hold Syrian Army units and formations and security forces.

3. **Heavy weapons**: are all weapons operated individually or by a group/team with a calibre of above 14.5 mm. These include but are not limited to artillery pieces, tanks, mortars, rocket-propelled grenades, anti-tank weapons, and anti-aircraft weapon systems. Armoured personnel carriers will not be considered to be heavy weapons, if mounted weapons above 7.62 mm calibre are disabled.

4. **Army concentrations**: are army units or formations, beyond company level, deployed outside military barracks for tactical or operational purposes.

5. **Law enforcement units**: are units functioning under the authority of the Ministry of the Interior to maintain public law and order through policing activities. They usually carry small arms, are uniformed and may be transported in armoured personnel carriers.

6. **Police forces**: are Government forces carrying out policing activities including community policing, security patrolling and investigative tasks. Such personnel would wear uniform, be in possession of a Government-issued identification card and may carry a side or small arm.

7. **Pullback from inside and around population centres**: this means the movement of army concentrations, temporarily deployed in and around population centres, to their barracks or to temporary deployment places, at least located a minimum of 2-3 km outside the perimeter of these population centres. This does not apply to barracks that already exist within cities and towns and are considered to be the permanent location of these units or formations.

8. **Population centre**: is a geographic area in which a number of people reside within clearly defined administrative boundaries and allocations, including villages, towns and cities.

United Nations S/2012/251

Security Council

Distr.: General
23 April 2012

Original: English

Identical letters dated 18 April 2012 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

Following our letter dated 17 April 2012 and upon instruction from my Government, I have the honour to attach herewith a detailed list of violations of the plan for cessation of violence, which have been committed by armed groups in Syria on 17 April 2012 (see annex).

It would be highly appreciated if the present letter and its annex were urgently circulated as a document of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

12-30705 (E) 240412 260412

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Annex to the identical letters dated 18 April 2012 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Arabic]

Tuesday, 17 April 2012

Homs governorate

1. There was sporadic gunfire and the noise of explosions in the following quarters: Bab Hud; Safsafah; Hamidiyah; Qiyadat al-Shurta; Wadi Siyah; Qusur; Qarabis; and Bayyadah.

2. The army building at the Muhandisin roundabout was fired on from behind the garage of the Water Authority. There were no casualties.

3. A projectile fell between trees near the bus station. There were no casualties.

4. A land mine caused an explosion at Rastan, south of the post office.

5. There were two explosions close to the Darwish station in Rastan.

6. There was gunfire at the old Sultaniyah checkpoint.

7. The Kafr Laha bridge was damaged by an explosion.

8. Armed groups targeted the checkpoint at the cultural centre in the town of Talbisah, wounding one person. As he was being taken to hospital, the vehicle was targeted, but there were no casualties.

9. An armed terrorist group opened fire on and injured a citizen in the Qusur quarter.

10. An armed terrorist group opened fire on members of the law enforcement forces in Kafr Aya and injured one.

11. An armed terrorist group opened fire on police officers, injuring one.

12. An armed terrorist group seized an army vehicle that was carrying fire and electricity department workers along the Mashrafah road.

13. An armed terrorist group attacked members of the law enforcement forces in the Bayyadah, Qarabis, Maydan, Safsafah and Suq al-Hashish quarters and fired mortar shells into certain peaceful neighbourhoods, killing conscript Mustapha Ahmad.

14. An armed terrorist group opened fire on a law enforcement forces checkpoint underneath the railway bridge.

15. Armed men in two cars opened fire on law enforcement forces on the Homs-Rastan highway.

16. An armed terrorist group at the Qattinah junction stopped Colonel Hassan Ghunum, administrator of the Ma'arrat al-Nu'man area, who was with his wife and children, in his village and abducted him for a period of two hours. They asked him

to resign, which he refused to do, and enquired about his weapon and his vehicle. He told them that they were in the Ma'arrah area. He was then released.

17. The bodies of the following persons were taken to the military hospital in Homs: conscript Basil Munur Sa'ud (mother's name Asriya; born 1992 in Dar'a; of the 18th company of the Engineers Battalion), who was killed at the Wadi Siyah checkpoint; conscript Muhammad Najib Jamal al-Sawa' (mother's name Amina; born 1991 in Aleppo; of the 4th company of the 138th Brigade), who was killed in the Bayyadah quarter; conscript Ismail Ibrahim al-Jaruf (mother's name Sa'ada; born 1991 in Rif Dimashq; of the 18th company of the 131st Brigade), who was killed in the Sultaniyah quarter. A further 24 members of the army and security and police forces were also taken for treatment for injuries received from shrapnel and gunfire in various parts of the city and surrounding countryside.

18. At 1000 hours, an engineer, Fadi Ihsan Adra (mother's name Maria; born 1967 in Bab Saba'), reported that an armed terrorist group had occupied his house in the Hamidiyah quarter and used it for their operations. They stole gold jewellery worth 4 million Syrian pounds and the sum of 8,000 Syrian pounds.

19. At 1100 hours, Shaman bin Omar Idris (mother's name Najibah; born in 1965 in Mubarakiyah) reported that all the furniture in his house had been stolen by unknown persons, his house set on fire, and his motorcycle, licence plate No. 72105 (Homs), stolen, together with his driving licence.

20. At 1200 hours, the body of a woman was found in a house in the Karm Zaytun quarter. It appeared to be that of Hamidah bint Muhammad al-Hasan (mother's name Sama'a; born in the same quarter in 1957). She had been burned by unknown armed persons in that quarter.

21. At 1200 hours, Hiyam bint Jamil (mother's name Rafa'ah; born in 1965 in Karm Zaytun) reported that unknown persons had stolen a Daihatsu car, licence plate No. 714623 (Homs), from in front of her house. The car was the property of her husband, Yusuf bin Abdu Darwish, who is in Lebanon.

22. At 1530 hours, police officer Mahmud Subhi Hajj Najib (mother's name Hajir; born in Jisr Shughur, Idlib in 1922 [sic]; of the Special Operations Unit) was taken to the Homs military police hospital after being shot in the right thigh and testicle by an unknown sniper as he was carrying out his duties in front of the police headquarters building.

23. The body of conscript Mustapha Abdulsalam Ahmad (mother's name Khadijah; born 1993 in Hallak Tahtani, Aleppo) was taken to the military hospital. He had been shot in the stomach in the Qarabis quarter.

24. The body of conscript Hasan Muhammad Mustapha (mother's name Halimah; born 1992 in Safirah; of the 41st regiment, Special Forces) was taken to the military hospital. He had been shot in the Qarabis quarter. Conscript Muhammad Hasan Abu al-Ras (mother's name Fatimah; born in 1992 in Nirab, Aleppo; of the security and law enforcement unit) was taken to the hospital after being killed on the roof of the police headquarters building. A total of 17 members of the army and police force and one civilian were also hospitalized after being hit by shrapnel and gunfire in various parts of the city and surrounding countryside.

25. At 0930 hours on 17 April 2012, five bodies were taken by the civil defence from Dair Baalba quarter to the Homs military hospital. The bodies were so badly burned as to be unrecognizable.

26. At 1100 hours on 17 April 2012, Abdulqawi bin Muhammad Ruhi Talimat (mother's name Najah; born in 1966 in Homs) reported the disappearance of two men who had been working for him: Mahir Abdulkarim al-Nasir (mother's name Shamsah; born in 1962 in Homs), and Muhammad Rafiq Mustapha Mushrif (mother's name Najah; born in 1985 in Shiyah). They had been distributing plastic goods, using a Suzuki vehicle with the licence plate No. 830712 (Homs) that was his property. They had in their possession the sum of 118,000 Syrian pounds, representing the value of goods. Their bodies were found near the Matahin roundabout.

27. At 1200 hours on 17 April 2012, Musa Sulaiman al-Abd (mother's name Munirah; born in 1981 in Karm al-Zaytun) was taken to the Za'im hospital in Homs after being shot in the right leg by unknown armed persons in the Bab Siba' quarter.

28. At 1300 hours on 17 April 2012, military conscript Ghazwan Ahmad Askar, a member of the law enforcement forces, was taken to the Homs military hospital, having been shot in the head by an unknown person while he was on the roof of the police headquarters building.

Idlib governorate

29. An armed group in the town of Ma'arrah set up an armed checkpoint and inspected the personal identity papers of passers-by.

30. An armed group abducted a judge from Aleppo, Faruq Kamal Abid, on the Hattan-Qurqanya road in Idlib governorate.

31. At 2130 hours, an armed terrorist group opened fire on the law enforcement forces Ariha checkpoint.

32. At 0630 hours, an armed terrorist group opened fire on the law enforcement forces Ariha checkpoint, killing Sergeant Salih Sulaiman and conscript Ayman Sudan and injuring five others.

33. An armed terrorist group opened fire on law enforcement forces and police patrols, killing Chief Warrant Officer Riyadh Habib al-Wunus and injuring another warrant officer.

34. At 0900 hours, information was received at Idlib police headquarters to the effect that a large number of armed men who had infiltrated Idlib by night, crossing agricultural land, and attacked security checkpoints, were in the northern part of the town. Accordingly, several patrols of law enforcement, special duties and criminal security forces went to the area and pursued the armed terrorist groups. One of the groups detonated two explosive devices; the first in Arba'in Street and the second beside the Husain Mosque in Idlib. There were no casualties; the only damage was material. A total of 14 wanted men were captured and seven motorcycles that the armed terrorist groups had been using to get around on were seized.

35. The body of Ahmad Abdulqadir Kharbatli (born in 1959) was found on the Aleppo-Damascus highway at the village of Bab Bila. He had been abducted by unknown armed persons in the town of Ariha on 14 April 2012.

36. The body of an unidentified person was found. He had been shot by an unknown person in the village of Dair al-Gharbi. Another unidentified body, which had been beaten and tortured by unknown persons, was found in the village of Balisah, in the Abu al-Thuhur district.

37. At 1000 hours on 16 April 2012, Yayha bin Jum'a Husain (mother's name Fatimah; born in 1974 in Saraqib) reported to the administrator of Saraqib province that on the Aleppo-Damascus highway at 1900 hours on 15 April 2012, an armed terrorist group had stolen his Kia Rio car, licence plate No. 744816 (Idlib), inside which was the sum of 8,000 Syrian pounds.

38. At 1200 hours on 16 April 2012, police officer Abdulma'in Kharuf bin Muhammad, of the anti-drug squad in Aleppo, reported to the Idlib disciplinary department that an armed terrorist group had burned down his house in the village of Hazzanu in the province of Ma'arrat Misrin.

39. At 1300 hours on 16 April 2012, Mahir bin Hasan Karabij (mother's name Fatimah; born in 1974 in Kafriyah) reported to the administrator of Ma'arrat Misrin province that an armed gang had abducted him and his companion, Yusuf Husain al-Alu (mother's name Ayush, born in 1963) and taken them to the municipality building in Zardana, which is controlled by armed men. They were subsequently released.

40. At 1800 hours on 16 April 2012, the body of Ala' bin Mustapha Abduljawad (mother's name Ayush; born in 1990 in Martin, Idlib), who had been shot, was taken to the National Hospital in Idlib.

41. At 2200 hours on 16 April 2012, Nadir bin Abdulaziz reported to the administrator of the Ma'arrat al-Nu'man area that an armed group comprising three persons carrying Russian rifles had seized his yellow Kia Rio car, licence plate No. 031945, inside which were the car papers, his identity card, driving licence, the sum of 20,600 Syrian pounds, and his mobile telephone. Another man, Farhan al-Ubaydi bin Awd, was also robbed.

42. At 1230 hours, police officer Tha'ir Abu Shalash, from police headquarters in Dayr al-Zawr governorate, was taken to the National Hospital in Ma'arrah. He died, having been shot in the stomach. His wife, police officer Izzat al-Adl, from the Ma'arrat al-Nu'man area office, was also hospitalized after being shot in the right hand at the Basidah junction on the Aleppo-Damascus highway.

43. At 1300 hours, Bilal bin As'ad Dwaidari and his brother Ahmad, and Zuhair bin Muhammad Walid Dwaidari, reported to the administrator of the Ma'arrah area that they had been at the farm on the Idlib-Qaminas road that belongs to their uncle, Muhammad Sufuh Dwaidari, when two armed persons had attacked. Muhammad Bilal was shot twice in the thigh and Ahmad received scalp wounds. The perpetrators stole a white Skoda pick-up vehicle and fled.

Dayr al-Zawr governorate

44. An armed group attacked the head of the political security branch office in Dayr al-Zawr, Warrant Officer Murshid al-Hamada, who was injured. His bodyguard was killed.

45. An armed group erected a barricade at Muhassan on the Dayr al-Zawr-Maydan road and stole two cars. The first was a Government vehicle belonging to the Dayr al-Zawr Directorate of Supplies, while the second was a private vehicle belonging to the Kanamah Petroleum Services Company.

46. An armed group erected a barricade at Quriyah on the Dayr al-Zawr-Abu Kamal road and searched cars, looking for soldiers and security personnel.

47. There was heavy gunfire at the globe roundabout checkpoint in the city of Dayr al-Zawr.

48. An armed group abducted five border guards in the Muhassan area, releasing them some three hours later.

49. An armed group fired on and injured a member of military security in the village of Asharah.

50. An armed terrorist group opened fire on law enforcement forces and police, killing police officer Hassan Ahmad Zuraifi and wounding another policeman.

51. At 2225 hours, an armed terrorist group opened fire on the military checkpoint at the bridge in Asharah in the Mayadin area.

52. At 0130 hours, an armed terrorist group opened fire with a variety of weapons on the security checkpoints at the globe roundabout in the Thawra quarter, the State security checkpoint, and the law enforcement unit checkpoint in Dayr al-Zawr.

53. At 0630 hours, at the Muhassan arch on the Dayr al-Zawr-Mayadin road, a terrorist group of seven masked, armed men, carrying Kalashnikovs and wireless devices, used a silver Pajero vehicle, licence plate number unknown, to block cars using that road. They stole a private Hyundai vehicle belonging to the Kanamah Petroleum Services Company, white in colour, licence plate No. 263253 (Damascus), which was being driven by Mahmud Hamad al-Khalaf (mother's name Mariam; born in 1969 in Hatlah). They then fled to an unknown destination.

54. At 0700 hours, in the tenth district of the Mayadin area, unknown persons fired on Chief Warrant Officer Muhammad Nasseraddin Hasan, of the military security group in Mayadin, wounding him in the buttocks and right upper arm. He was taken to the military hospital in Dayr al-Zawr.

55. At 0900 hours, at the Muhassan arch on the Dayr al-Zawr-Mayadin road, a terrorist group of six masked men, armed with Kalashnikovs, wearing bandoliers on which was inscribed "The Qa'qaa' Corps" and carrying wireless devices, in a silver Pajero vehicle, licence plate number unknown, stole a white Sham-type Government vehicle belonging to the Dayr al-Zawr Directorate of Supplies, licence plate No. 537899 (Damascus), which was being driven by Ibrahim Bash'an and used by Muhammad Badr al-Habash, Assistant Director of Supplies for Dayr al-Zawr. They then fled to an unknown destination.

56. At 2030 hours, an armed terrorist group blocked the Dayr al-Zawr-Abu Kamal road at the village of Zawiya, Mayadin district, stopping and searching cars.

Aleppo governorate

57. An explosive device was detonated in the Jisr al-Shi'ar district while a law enforcement patrol was passing, killing two people, one of whom was a law enforcement officer, and injuring six others.

58. An armed group abducted Corporal Awad Jamal Awad, a law enforcement officer, at Ma'arrah bus station.

59. An armed terrorist group opened fire on a military guard unit in Darat Izzah, injuring one guard.

60. An armed terrorist group fired into the air next to the bus station square in order to intimidate civilians.

61. The body of Ahmad Abdulqadir Kharbatli (born 1959), who had been abducted by unidentified armed men in Ariha city, was found on the Aleppo-Damascus road at the village of Bab Bila. The body of an unidentified man, who had been shot dead by an unknown assailant, was found in Dayr al-Gharbi. The body of another unidentified man, who had been beaten and tortured by unknown assailants, was found in Balisah village, locality of Abu al-Zuhur.

62. At 1900 hours at Khanasir, on the Damascus-Sayfara road, five masked individuals in fake army uniforms, carrying Kalashnikov rifles and bandoliers and travelling in an unmarked white Toyota double cabin pickup truck bearing a floodlight stopped an intercity bus coming from Damascus, licence plate No. 226227 (Aleppo), which belonged to the company Star and was being driven by Khayru Jundi bin Muhammad (mother's name Samira; born 1958 in Magharat al-Artiq). They abducted seven conscripts and stole mobile telephones from all passengers.

63. At 2035 hours, an explosive device was detonated at the Shi'ar roundabout near the Sharaba petrol station, targeting double cabin pickup truck No. 38528, belonging to the Salihin Police Force, on which law and security enforcement conscripts were travelling. The following were killed: the civilian Yusuf Kubbah War bin Ali (mother's name Radiyah; age: 40) and, from the Salihin Police Force, conscript police officers Muhammad Riyana bin Samir, Bayir Ali al-Mahmud and Mazlum Khalil, and police driver Muhammad Shawardi bin Ahmad. Nine individuals were injured and seven civilians, including three women, were taken to the military hospital and the Al-Razi Hospital. The police vehicle and a civilian car were damaged.

64. At 2100 hours, the branch head of the Hamdaniya Company informed the authorities that an explosive device had been found in a nylon bag near the Uways al-Qarani Mosque. The Engineers Battalion was called and defused the device. It was a remotely detonated high-explosive acetone device weighing some 3 kilograms.

65. At 2100 hours, an explosion was heard in Masakin Hannanu. It had been caused by a bomb placed in the kiosk belonging to Mahmud Awwad bin Ala (mother's name Subhiya; born 1982 in Sakhana), a resident of Masakin Hannanu. The explosion caused material damage to the kiosk.

Dar'a governorate

66. An armed group abducted the *mukhtar* of Musayfira town.

67. At the funeral of a martyr in Harah town, a number of individuals demonstrated and fired on law enforcement forces, which returned fire. The father of the martyr was killed.

68. Two noise bombs exploded near Dar'a town.

69. A hand bomb exploded in the stadium in the town of Nawa without causing injuries.

70. An armed terrorist group opened fire on the army barracks in Tafas.

71. An armed terrorist group stole a civilian car on the Ibta'-Shaykh Miskin road.

72. An armed group opened fire on civilian homes in Tafas.

73. An armed group burned a civilian vehicle in Inkhil city.

74. An armed terrorist group opened fire on the law enforcement checkpoint at the Samad village triangle.

75. An armed terrorist group stole items from the girls' secondary school in Tayyibah village.

76. An armed group raided the Agricultural Development Centre in south Dar'a city, stealing the guards' telephones and five canisters of car oil.

77. An armed terrorist group opened fire on the law enforcement checkpoint of Simlin.

78. An armed terrorist group opened fire on the guard post outside the Officers' Club.

79. Three unidentified men burned a private Saba car, licence plate No. 586066 (Dar'a), belonging to Muhammad Yasin al-Ghawthani, a former branch party secretary.

80. Armed terrorists travelling in a white Hyundai and a black taxi, licence plate numbers unknown, opened fire on the home of Muhammad al-Sayrani in the town of Ghabaghib, Sanamayn district. Ahmad Mas'ud al-Mas'ud was hit by several bullets and was taken to Sanamayn Military Hospital, where he died.

81. The body of an unidentified man in his sixties was found on the Izra'-Busra al-Harir highway. It was taken to the morgue of Izra' National Hospital, and action was taken to trace the relatives. The autopsy found recent and older bruise marks and signs that the hands had been tied.

82. At 1135 hours, armed men opened fire on Ammar Mahmud al-Ghusayn from Shara'i' village, causing material damage to the house.

83. At 1435 hours, in Busra al-Harir town, unidentified armed men raided the home of Abdulkarim Ibrahim Sa'daddin, Director of Planning and International Cooperation with the office of the Council of Ministers. They beat him with sticks and iron bars, causing numerous wounds all over his body, then stole his identity card, insurance card, mobile phone and some cash before escaping.

84. At 1520 hours, in Harah town, saboteurs shouted "*Allahu akbar*" and anti-State slogans at the funeral of the martyr Yusuf al-Qawarit, who had been killed in Idlib governorate. Armed men fired shots, hitting Muhammad Abdulkarim al-Jarrad and Dawud Fawzi al-Qawarit, a retired officer and the father of the martyr, in the head. The two were taken to Qunaytirah National Hospital, where Dawud Fawzi al-Qarawit died of his wounds.

85. At 1645 hours, unidentified men detonated two noise bombs on the Sadd road, Dar'a city, without causing personal or material damage.

86. At 1815 hours, unidentified men started a fire in the staff room of the law school in the Kashif quarter, Dar'a city, and burned an old tyre in the school hall. The tyre was extinguished by the Dar'a Fire Department.

87. At 2000 hours, the relatives of police officer Muhammad al-Hajj Ali notified the administrator of the locality of Khirbat Ghazalah that they had lost contact with him since 1300 hours on 16 April 2012, when he left for work. He did not arrive at the workplace and has not been heard from since.

88. At 2330 hours, an armed terrorist group travelling in unidentified vehicles and on a motorcycle followed Chief Warrant Officer Ghazi Muhawish al-Hajj Ali of the Dar'a law enforcement forces and opened fire on him while he was returning to his home in Khirbat Ghazalah town after visiting relatives in the same town. He died of a bullet wound to the head. The group abducted the 17-year-old Muhammad Marwan al-Zu'bi from Khirbat Ghazalah town and took him to an unknown location.

89. In al-Musayfirah town, armed men in an unidentified white vehicle abducted the *mukhtar* of the locality of Musayfirah, Hussein Shihadah al-Zu'bi and took him to an unknown location.

Hama governorate

90. An armed group opened fire on a checkpoint between the Qusur and prison roundabouts, injuring one soldier.

91. An explosive device was detonated in the park opposite the security and military checkpoint near the Faysal al-Rakbi roundabout in Hama city. There were no injuries.

92. At 2230 hours, two terrorists in a car attacked a law enforcement forces checkpoint on the bridge in Taqsis village.

93. An armed terrorist group fired on law enforcement forces in the vicinity of the Madinah grain silos, injuring a sergeant.

94. At 0500 hours, an armed terrorist group fired on law enforcement forces at the bridge in Taqsis, killing two officers.

95. East of the Salamiyah bridge, an armed terrorist group used a mine to attack law enforcement forces.

96. An armed terrorist group stole a Government vehicle and abducted its driver, Sergeant Wajih Tarbush.

97. An armed terrorist group attacked a law enforcement forces checkpoint between the Mizrab bridge and the prison roundabout, injuring a sergeant.

98. At 0900 hours on 16 April 2012, the administrator of Ayn Halaqim locality was informed that a person who showed signs of having been tortured had been left at the entrance to the village. On arriving at the designated location, he found Ahmad Rajih bin Abdulmun'im al-Asbar (mother's name Khadijah; born 1963 in Tall Kalakh), who showed signs of having been tortured all over his body. The victim stated that, some days ago, as he was heading from Tall Kalakh to Homs, several

persons in a red vehicle, model and licence plate number unknown, had abducted, tortured and beat him, and then left him at the location where he had been found.

99. At 1100 hours, Sergeant Muhammad bin Awad al-Id (mother's name Maryam; born 1967 in Suran) informed the administrator of Suran that, on 14 April 2012, he had been abducted as he was driving his car in the town of Suran. He stated that three masked persons armed with rifles and riding on motorcycles had intercepted and abducted him. They had then taken him to some agricultural lands, where they tortured and beat him, stole his official Marakov 8.5 mm pistol, his mobile phone and 5,000 Syrian pounds. They also asked him to resign. When he refused to comply with their request, the left him at 2100 hours of the same day on the Suran-Kawkab road.

100. At 1400 hours, Ammar bin Hussein al-Kurdi (mother of foreign nationality; born 1972 in Umm Sarj), a municipal employee in Mashrafah village, was taken to the National Hospital in Salamiyah suffering from a bullet wound in his left hand after armed persons had fired on him on the Jabiriyah-Mashrafah road.

101. At 1800 hours, the body of a man in his forties was discovered. He had been stabbed in the back with a sharp instrument and the back of his skull had been smashed. The body had been dumped on the farm road between the villages of Tulaysiyah and Mu'ah, near Harbinafsih.

102. At 0900 hours, Iyad Sulayman al-Ibrahim, the director of the Ceramics Centre in Khirbat Tin Nur, Homs, and Qasim Muhammad al-Hamish, warehouse manager of the above-mentioned Centre, both residents of Brayghit village, alleged to the administrator of Salamiyah that, at 1500 hours on 16 April 2012, as they were heading from Brayghit to Salamiyah to send a sum of money from the General Ceramics Company, eight masked persons armed with rifles and riding on motorcycles of an unknown make intercepted them and stole their Government-owned, white Saveiro Fox pickup truck, licence plate No. 771413 (Damascus), which is the property of the above-mentioned Centre. The attackers also stole 125,000 Syrian pounds and a mobile telephone.

103. At 1030 hours, a device exploded as some military vehicles were travelling along the Hama-Salamiyah road, approximately 1 km east of the Salamiyah bridge. The explosion caused no casualties.

104. At 1100 hours, unidentified armed persons travelling in a white microbus, licence plate number and make unknown, abducted Sergeant Wajih Hikmat Tarbush and stole a Mazda pickup truck, licence plate No. 941640 (Hama), belonging to the Water Resources Authority, Hama.

105. At 2100 hours, two devices exploded west of the railway line in the town of Kafr Buhum, causing material damage to a Mazda pickup truck, licence plate No. 533533, belonging to Hanna bin Ilyas al-Maqdisi (mother's name Jamilah; born 1962 in Kafr Buhum).

Damascus governorate

106. An armed clash occurred between law enforcement forces and a group of terrorists.

107. A bomb exploded in a car travelling on Ibn Asakir Street, at the Al-Amin roundabout. It was subsequently learned that the car, which belongs to Ahmad Jibril, was being driven by Ahmad Fayyad. The explosion caused only material damage.

108. An armed terrorist group fired on law enforcement forces in Barzah.

109. As officers from the Jawbar Police Department were stationing themselves at Bulman roundabout, Jawbar, in order to maintain security and order and direct traffic, armed persons travelling in a white Kia vehicle fired on the patrol. When the patrol returned fire, the vehicle's driver turned around and fled with his three companions. The patrol then came under intense gunfire from the surrounding buildings. The attack did not cause any physical injuries or material damage.

110. At 1700 hours, Jihad Ka'ush, the driver of Muhammad Abdul'al, member of the Sa'iqah command and the Palestinian command, died from injuries caused by a bomb that exploded in his car on 15 April 2012.

111. At 2220 hours, a noise bomb exploded in the Qanawat quarter, behind Abdulrahman bin Awf Mosque. The explosion caused no damage.

Rif Dimashq governorate

112. An armed terrorist group fired on law enforcement forces in Ghutah (Dayr al-Asafir), killing Captain Majd Mahfud and injuring five others, including a lieutenant.

113. The body of an unidentified man in his forties dressed in athletic apparel was found in Duma. The body showed signs of torture. His arms and legs had been bound and his mouth had been gagged with adhesive tape.

114. On the Dar'a road in the town of Darayya, Ahmad Abdulkarim Nabhan and Samir Kawardi bin Shahir were killed when armed persons travelling in a black car, licence plate number and make unknown, fired on their vehicle.

115. In Duma, near the Tall al-Kurdi turnoff, a silver Sunny Neo vehicle, licence plate No. 884170 (Damascus), was stolen from its owner, Raghda' Ali Rustum, by four armed persons.

116. In Irbin, two armed persons travelling in a vehicle, the licence plate number and make of which are unknown, shot and killed police officer Imad Mistu of the medical service office as he was returning to his home, which is located in Irbin.

117. The body of an abductee, Muhammad Ali Amir (mother's name Maryam; born 1978 in Mulayhah), was found in Mulayhah. He had been shot dead and his body showed signs of torture.

118. A silver Hyundai automobile, licence plate No. 757001 (Damascus), belonging to the Regional Command and assigned to Muhammad Ahmad al-Bash (mother's name Layla; born 1962), member of the Executive Office of the Rif Dimashq Craftsmen's Union, was stolen in Duma. A burgundy Hyundai automobile, licence plate No. 75927 (Rif Dimashq), belonging to the Water Authority and assigned to the engineer Jamal Khayyat bin Abdulfattah, was stolen in front of the engineer's house by armed persons travelling in a Daewoo vehicle, licence plate No. 147481. Amir Hasan Id (mother's name Fatimah; born 1979 in Ma'arrat Yabrud), a resident of Misraba and an employee of the agricultural research labs in Duma, was taken to Hirista Hospital suffering from a gunshot wound inflicted when armed persons unsuccessfully attempted to steal his personal vehicle. The Red Crescent transferred to Al-Mujtahid Hospital the body of an unidentified man in his forties who had been shot. The body was found near a sewage gutter in Duma.

119. In the Assad quarter of Hirista, there was an explosion in a first-floor apartment rented by the engineer Muhammad al-Wadi. As a result of the explosion, Mustafa al-Wadi and Ala' Rifa'i were taken to Hirista Military Hospital. It was subsequently determined that a body found under the debris of the building was that of Umar al-Wadi. A fire broke out in the apartment after the explosion, and the residents of the area apprehended one of the perpetrators, Mustafa Midhat (mother's name May; born 1992 in Anbar, Iraq), who had been injured by the explosion. The apartment in which the explosion occurred belongs to the engineer Muhammad Mustafa al-Wadi (born in Harah, Dar'a), whose fate remains unknown. The explosion killed Amru al-Badi bin Mahmud (mother's name Ghadah; born 1976 in Abha, Saudi Arabia), who was taken to Hirista Military Hospital. Two unidentified women were also wounded by the explosion.

Ladhiqiyah governorate

120. At the turnoff to the Naval Academy in Jablah, unidentified persons fired several shots.

121. In Salibah quarter, some troublemakers hurled two Molotov cocktails and two sticks of dynamite at security patrols, without causing casualties.

Syrian-Iraqi border

122. An armed terrorist group attempted to infiltrate from Iraqi territory into Syrian territory towards Shaddadah. The attempt was repulsed and the group fled towards Iraqi territory.

123. Two armed persons attempted to infiltrate from Iraqi territory into Syrian territory at Dayr al-Zawr and were apprehended.

United Nations S/2012/252

Security Council

Distr.: General
23 April 2012

Original: English

Letter dated 23 April 2012 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

With reference to our complaint filed on 10 April 2012 regarding the unlawful occupation by the Government of the Republic of South Sudan of the Sudanese town of Heglig, as a result of which the Security Council issued its presidential statement on 11 April 2012, calling on the Government of South Sudan to withdraw from the Sudanese town of Heglig, the Government of Sudan, with respect to the presidential statement of the Council, exercised self-restraint for a period of nine days to monitor the response of the Government of South Sudan, hoping that they would heed to the voice of logic.

Unfortunately, the reaction of the President of the Republic of the South of Sudan to the presidential statement of the Security Council and to the call of the Secretary-General was disappointing for the whole international community when he declared during an official meeting on 13 April (which was widely disseminated live by all mass media) that the Government of the South will not withdraw from Heglig and he (President Salva) will not receive or adhere to instructions from neither the Security Council nor the Secretary-General. In addition to this negative response, the Government of Sudan has evidence in the form of a recorded telephone conversation on 20 April, between the Governor of Unity State in South Sudan, General Taaban Deng, and Fadeel, South Sudan's commander in Heglig, where General Taaban Deng is giving clear orders to their commander to burn all the oil facilities in Heglig. Only after that, did Sudan exercise its full right of self-defence in accordance with Article 51 of the Charter of the United Nations and reacted militarily, and recaptured the town of Heglig, on the same day, Friday, 20 April.

Accordingly, the allegation of the Government of South Sudan that they withdrew with respect to the call of the Security Council presidential statement and completed their withdrawal on Sunday 23rd is not factual. The liberation of Heglig form its unlawful occupation by the Sudan People's Liberation Army was due to the intervention of the Sudanese Armed Forces in defence of the Sudanese territories from any aggressor.

The claim of the Government of the South that Heglig is part of the South is based on a convoluted logic. Heglig is part and parcel of the territorial integrity of Sudan according to the borders of 1 January 1956, which were agreed upon in the 2005 Comprehensive Peace Agreement. Heglig was never a disputed area during the negotiations which led to the Agreement, and it is not among the five disputed areas.

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Furthermore, in July 2009, the ruling of the Permanent Court of Arbitration confirmed in categorical terms that Heglig is in the Northern Sudan district of South Kurdufan. Bringing this specific claim at this time is bizarre, and casts doubts as to their motives.

In this connection, I would like to reiterate the position of the Government of Sudan to resolve all pending issues with the Republic of South Sudan through negotiations under the mediation of the African Union High-level Implementation Panel, provided that all previous agreements reached between the two States are fully respected and implemented, particularly the security and boundaries agreements. We recognize and respect all the previous agreements including the Comprehensive Peace Agreement, the agreement on non-aggression, the ruling of the Permanent Court of Arbitration and the agreement on the demarcation of borders.

The continuous allegation by the Government of South Sudan, accusing the Republic of Sudan of aerial bombardment inside their territory is nothing but a pretext to disguise and to justify their aggression against Sudan.

The Government of Sudan would also like to draw the attention of the Security Council members to the continued hosting and support by the Government of the South to the rebel movements (Revolutionary Front), which declared that their main objective is to topple the Government in Khartoum. In this regard, a strong message must be sent to the Government of the South to immediately refrain from rendering such support to the rebel movements.

In conclusion, I would like to convey to the esteemed Council that the Army of South Sudan has caused great damage to the town of Heglig, where they burned the market, power supply station and essential oil facilities in the town. While conveying this information, we also call on the Council to hold the Government of the South accountable for these damages.

I should appreciate it if this letter could be circulated as a document of the Security Council.

(*Signed*) Daffa-Alla Elhag Ali **Osman**
Permanent Representative

United Nations S/2012/

Security Council

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Original: English

Letter dated 20 April 2012 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 2035 (2012) concerning the Sudan, adopted on 17 February 2012, by which the Security Council decided to extend until 17 February 2013 the mandate of the Panel of Experts originally appointed pursuant to resolution 1591 (2005) and previously extended by resolutions 1651 (2005), 1665 (2006), 1713 (2006), 1779 (2007), 1841 (2008), 1891 (2009), 1945 (2010) and 1982 (2011), and requested me to take the necessary administrative measures.

Accordingly, I wish to inform you that I have appointed the following experts to serve on the Panel of Experts:

Ms. Lipika Majumdar Roy Choudhury, India (finance)
Mr. Brian Johnson-Thomas, United Kingdom of Great Britain and Northern Ireland (arms)
Mr. Issa Maraut, France (regional)
Mr. Mohammed Al-Omari, Jordan (aviation)
Ms. Rania El-Rajji, Lebanon (international humanitarian law).

I have also designated Ms. Roy Choudhury to serve as Coordinator of the Panel of Experts.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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Security Council

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24 April 2012

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Letter dated 23 April 2012 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit two letters addressed to me, dated 5 and 9 April 2012, respectively, from Mr. Kadré Désiré Ouédraogo, President of the Commission of the Economic Community of West African States (see annex I), and Mr. Carlos Gomes Júnior, Prime Minister of Guinea-Bissau (see annex II), on the situation in Guinea-Bissau. As you will recall, the Assistant Secretary-General, Tayé-Brook Zerihoun, mentioned the receipt of these letters during his briefing to the Security Council on 13 April 2012.

I should be grateful if you would bring the aforementioned letters to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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Annex I

Request of the Economic Community of West African States with regard to the presidential run-off election in Guinea-Bissau

You may be aware that political tension is increasingly mounting in Guinea-Bissau as the country approaches the second round of the presidential election scheduled to take place on 22 April 2012.

In the course of a joint fact-finding mission of ECOWAS, the African Union and the United Nations to Guinea-Bissau on 31 March 2012, the delegation, led by my humble self, uncovered a number of disturbing developments that could jeopardize the holding of the election and plunge the country back into another cycle of instability. Of major concern to ECOWAS are the following issues:

1. The call by the opposition, led by Mr. Koumba Yalá, the second-placed candidate in the first round of the election, to annul the results of the election, citing "massive fraud" and disenfranchisement of a large section of the potential electorate due to the failure to update the voters register. The opposition threatens to boycott the poll if this demand is not met.

2. Fear among a section of the political class of a possible military intervention and/or threat to their safety and security.

3. Mounting suspicion and tension between the Guinea-Bissau military and the Angolan Technical Military Assistance Mission (MISSANG), which is in the country under a bilateral agreement to support defence and security sector reform. General Antonio Injai, the Chief of Defence Staff of the Guinea-Bissau armed forces, has ordered the Mission to leave the country, accusing Angola of secretly building a military presence in the country, which constitutes, in his view, a breach of the bilateral agreement.

In view of the preceding, the Authority of ECOWAS Heads of State and Government, at their Extraordinary Summit in Dakar on 2 April 2012, appointed H.E. Alpha Condé, President of Guinea, as Mediator in the looming crisis, and directed the ECOWAS Commission to consider the feasibility of deploying a military contingent in the run-up to the poll to protect candidates and institutions, to assist the Bissau security forces to ensure security for the electoral process and to commence work on the defence and security sector reform programme in the country.

This is to apprise you of the intentions of ECOWAS with regard to the impending election and to seek the support of the Security Council for the actions intended by ECOWAS. It is also to seek your kind opinion on the feasibility of fielding a joint ECOWAS/United Nations security mission for the purposes outlined above.

While awaiting your kind response, please accept the renewed assurances of the ECOWAS commitment to work closely with the United Nations in the interests of peace and security in West Africa.

(*Signed*) Kadré Désiré **Ouédraogo**
President of the Commission

Annex II

Letter dated 9 April 2012 from the Prime Minister of Guinea-Bissau to the Secretary-General

In my capacity as Prime Minister of the Republic of Guinea-Bissau, I would like hereby, on behalf of the Government and in the light of the emergency situation which the country is undergoing, to inform you that Guinea-Bissau could come to face a new cycle of internal political instability, owing to the non-acceptance of the electoral results by five of the candidates who participated in the early presidential elections held on 18 March.

In a show of clear provocation, those persons are seeking to impede the holding of the second round of the presidential polls, which, should that happen, will endanger the democratic gains made to date by the State and the people of Guinea-Bissau.

Following a period of peace and social calm obtained during recent years through countless sacrifices made by the people of Guinea-Bissau, it is not acceptable that a group of individuals, motivated by personal and narrow-minded interests devoid of any politically justifiable or legal bases, should resort to creating conditions for the return of instability in our country.

With regard to the presidential polls, the entire international community which observed the electoral process adjudged it as just, free and transparent.

The National Electoral Commission and the Supreme Court, charged with respective jurisdictions, at the internal level, to deal with and examine legal challenges to the electoral process and to make pronouncements on the validity of the polls, have already publicized their decisions in favour of confirming the results that were announced and which called for a second round presidential run-off between candidates Carlos Gomes Júnior and Koumba Yalá.

Apart from representing a total disrespect for the institutions of the Republic, the behaviour of those who seek to call into question the above-mentioned results and consequently compromise the holding of the second round of the presidential elections could be seen as a manoeuvre intended to influence, negatively, the military who, at any moment, could unleash an uncontrollable situation that would have negative consequences for peace and security not only in Guinea-Bissau but also in the countries of the subregion.

In this connection, with a view to containing this situation which is threatening the peace and security of Guinea-Bissau, with possible subregional consequences, I would like to hereby request that the Security Council, within its powers enshrined under Article 24 of the Charter of the United Nations, in its capacity as the entity charged with the maintenance of international peace and security, analyse at an extraordinary meeting the internal situation of Guinea-Bissau resulting from the non-acceptance of democratic, free, just and transparent elections; and debate the dispatch of a peacekeeping force to Guinea-Bissau, the latter to be charged with extensive powers aimed at the maintenance of political stability in the country and at defence of the democratic gains which the people of Guinea-Bissau obtained at great sacrifice and desire to preserve for the economic, social and cultural development of the country.

I would like to take this opportunity to recall that Guinea-Bissau and the Republic of Angola entered into a bilateral Agreement on Cooperation in Defence and Security, which saw the establishment of MISSANG (Angolan Technical Military Assistance Mission) which, apart from supporting the ongoing reforms, constitutes a factor assisting with political and military stabilization in the country.

Further, I would like to inform you that, owing to the internal reaction of the military, the Republic of Angola announced its intention to end the cooperation agreement and, consequently, to effect the withdrawal of its troops from our country, which will put at risk the already grave situation which Guinea-Bissau is facing, and on account of which we are seeking recourse to the Security Council to request the taking of necessary measures aimed at guaranteeing the maintenance of peace and security in our country and in our subregion.

To conclude, I would like to further inform you that the Republic of Angola, and, eventually Brazil and Ghana, stand ready to form part of such a peacekeeping force, which could also integrate components from other countries in ECOWAS and other regions, once the deployment of such a force is approved by the Security Council in accordance with the Charter and the objectives of the United Nations Organization.

(*Signed*) Carlos **Gomes** Júnior